2013-12

Challenges to the consolidation of democracy: a case study of the Maldives

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Monterey, California: Naval Postgraduate School

NAVAL POSTGRADUATE SCHOOL

MONTEREY, CALIFORNIA

THESIS

CHALLENGES TO THE CONSOLIDATION OF DEMOCRACY: A CASE STUDY OF THE MALDIVES

by

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December 2013

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REPORT DOCUMENTATION PAGE			Form Approved OMB No. 0704–0188
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202–4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704–0188) Washington, DC 20503.			
1. AGENCY USE ONLY ***(Leave blank)***	**2. REPORT DATE** December 2013	**3. REPORT TYPE AND DATES COVERED** Master's Thesis	
4. TITLE AND SUBTITLE CHALLENGES TO THE CONSOLIDATION OF DEMOCRACY: A CASE STUDY OF THE MALDIVES		**5. FUNDING NUMBERS**	
6. AUTHOR(S) Ahmed Zubair			
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Naval Postgraduate School Monterey, CA 93943–5000		**8. PERFORMING ORGANIZATION REPORT NUMBER**	
9. SPONSORING /MONITORING AGENCY NAME(S) AND ADDRESS(ES) N/A		**10. SPONSORING/MONITORING AGENCY REPORT NUMBER**	
11. SUPPLEMENTARY NOTES The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government. IRB Protocol number ____N/A____.			
12a. DISTRIBUTION / AVAILABILITY STATEMENT Approved for public release; distribution unlimited		**12b. DISTRIBUTION CODE** A	

13. ABSTRACT (maximum 200 words)

This thesis explores the consolidation of democracy in the Maldives and challenges it faced during its first five years of democratic life with special emphasis on the circumstances that led to the premature resignation of the first democratically-elected head of state, President Mohamed Nasheed.

It analyzes the political history of Maldives and the role of military in the society. A long history of authoritarian rule and the very sudden transfer to a democratic system left many institutions to be reformed democratically in the due course. In an effort to hasten the reform process, the ambitious new president unfortunately at times resorted to undemocratic means, especially using the military. His actions surpassed his authority resulting in the public demand for his resignation, and in the midst of many calamitous events that took place during the last few days of his presidency, President Nasheed resigned casting a cloud of doubt over the fate of democracy in the Maldives.

This study concludes that despite the many challenges the infant democracy of Maldives has faced, it overcame them all by the role played by local institutions. Thus, Maldives is thriving as a democratic success story.

14. SUBJECT TERMS Road to democracy, Efforts to consolidate democracy, Challenges to consolidate democracy, Resignation of President Nasheed and the allegations, Military and its role in the society and politics, President Waheed and the continuation of democracy.			**15. NUMBER OF PAGES** 91
			16. PRICE CODE
17. SECURITY CLASSIFICATION OF REPORT Unclassified	**18. SECURITY CLASSIFICATION OF THIS PAGE** Unclassified	**19. SECURITY CLASSIFICATION OF ABSTRACT** Unclassified	**20. LIMITATION OF ABSTRACT** UU

NSN 7540–01–280–5500 Standard Form 298 (Rev. 2–89)
Prescribed by ANSI Std. 239–18

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CHALLENGES TO THE CONSOLIDATION OF DEMOCRACY: A CASE STUDY OF THE MALDIVES

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Submitted in partial fulfillment of the
requirements for the degree of

**MASTER OF ARTS IN SECURITY STUDIES
(COMBATING TERRORISM: POLICY AND STRATEGY)**

from the

**NAVAL POSTGRADUATE SCHOOL
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LIST OF ACRONYMS AND ABBREVIATIONS

CDF	Chief of Defence Force
CMR	Civil-Military Relations
CoNI	Commission of National Inquiry
DRP	Dhivehi Raiyyithunge Party
DQP	Dhivehi Qaumee Party
EC	Elections Commission
GI	Gaumee Itthihad
IDP	Ismalic Democratic Party
JP	Jumhooree Party
MDP	Maldives Democratic Party
MHRC	Maldives Human Rights Commission
MI	Madhanee Itthihad
MIRA	Maldives Inland Revenue Authority
MNC	Maldives National Congress
MNDF	Maldives National Defense Force
NSS	National Security Service
PLOTE	People's Liberation Organization of Tamil Elam
PPM	Progressive Party of Maldives
RAF	Royal Air Force
SLP	Social Liberal Party
STO	State Trading Organization

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ACKNOWLEDGMENTS

I am grateful to Almighty Allah for blessing me with the opportunity to study at the prestigious Naval Postgraduate School, and I am grateful to Maldives National Defence Force for the numerous opportunities it has given me to enhance my knowledge.

I extend my heartfelt gratitude to my co-advisors, Professor Carolyn C. Halladay and Ms. Florina Cristiana Matei, for their sincerity, encouragement, and invaluable guidance rendered in completing this thesis.

I dedicate this work to my dear mother, Zubaidha, and my father, Zaki, my beloved wife, Razeen, and our lovely children, Zayaa, Zakwan, and Zayaan. Their unending love and support inspire me to break new grounds.

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I. INTRODUCTION

In 2008, amid growing popular demand, Maldives democratized, more or less under its own power. That is, Maldives democratized without much influence from beyond the borders of this relatively small, relatively remote island nation. The home-grown movement had started in earnest in early 2000, with the call to allow political parties in the Maldives. This first move only whetted Maldivians' appetite for more democracy. Presently, demonstrations and civil disturbances forced then-President Maumoon Abdul Gayyoom to adopt and adapt a course for democracy. A legislative assembly was elected to amend the constitution, and the very next presidential election was set to be a democratic, multi-party election. The first democratically elected president, a leader in the democracy movement, took the oath of office on 11 November 2008.

By the end of President Mohamed Nasheed's first year in office, all the institutions required to sustain democracy were in place, but not without many challenges. Opposition aroused by former president Maumoon challenged President Nasheed's many policies. As the situation sharpened, President Nasheed's own actions became controversial, particularly in a democratic setting, and culminated in the president's premature resignation. Maldives seemed poised to backslide in all its democratic progress, but in the end, President Nasheed's resignation and its aftermath, including a Commission of National Inquiry that investigated the incident and determined that President Nasheed did not step down under duress, stands out as a positive development for the infant democracy of Maldives—emphasizing the basic proposition that no leader can operate beyond the democratic constitution of the county.

The next challenge to Maldivian democracy arose with the presidential elections of 2013, which ultimately pitted a resurgent Mohamed Nasheed against Abdulla Yameen Abdul Gayoom, the younger brother of the long-retired autocrat. Citing irregularities in the voting, the Supreme Court annulled the 7 September 2013 first round of elections. On the next set date for elections, the Elections Commission could not proceed as the police interceded because it was not proceeding according to the guidelines set by Supreme

Court in the verdict that annulled the first round of elections. The stakeholder independent organizations played their roles diligently, and both civil society and political activists held to their decisions, giving Maldives its second democratic president, Abdulla Yameen, by the final round of elections held on 16 November 2013. He is the half brother of former President Maumoon and he contested as the presidential candidate of Progressive Party of Maldives. His proposed policies supportive to democracy are very promising for an economically prosperous Maldives.

This thesis analyzes the Maldivian efforts to consolidate democracy and the challenges it has faced, as well as the achievements Maldives has made in the consolidation of democracy.

A. THESIS OVERVIEW

This thesis is comprised of five chapters. Chapter I is the introductory chapter that provides basic facts about Maldives, and briefly highlights the country's path to democracy and the effort made to preserve its democracy.

Chapter II gives detailed accounts of the resignation of President Naheed and his allegations. As soon as he took office, the opposition mobilized to discredit the efforts of President Nasheed, a program that gained momentum as President Nasheed opted for change in areas that clashed with the traditions and conventions widely accepted by the country. Many such acts worked against President Nasheed, and the final act of removing the civil court judge and keeping him under military custody aroused the public against President Nasheed—culminating in a public mob that included some members of the police and the military. At the height of this uprising, President Nasheed resigned and the very next day claimed that he was forced to resign by the military.

Chapter III focuses on the military of Maldives, and its role in society and politics. The military, the Maldives National Defense Force, has been an important part of the Maldivian society: evicting external threats, offering social services, policing until late 2004, and providing disaster management. For all these reasons, all governments have taken a keen interest in the military and have maintained it with almost an open budget—this trend of enormous benefits to the military reached a peak especially during

the era of President Maumoon. With the enormous expenditure on the military and accelerating its role in domestic affairs, the military emerged as a considerable force in deciding certain political issues. As a result, when the first democratic election came up, the two major political parties tailored their efforts to get the support of the military: votes of the members of the military and acceptance of the high ranking officers.

Chapter IV focuses on what led to the consolidation of democracy in Maldives and why President Waheed continued the democratic process. Given the experience of the unexpected collapse of the first republic, if history was to repeat itself, the chances were high the country would revert from a democracy to an autocratic or dictatorial regime again. But the new constitution makes it difficult to instill a new system, and President Waheed, himself a Western-educated leader and high-profile former UN employee, adhered to democratic values.

Chapter V provides the conclusion of the thesis. Assessing the situation of Maldives in its last few years prior to democracy in comparison to the few years it has been democratic as well as to the situation in other recent democracies, Maldives seems to have done a much better job. Democracy seems to hold a better place in Maldivian society, and forces are more committed to strengthening it.

B. HISTORICAL BACKGROUND OF MALDIVES

Maldives is a small archipelagic nation that lies in the center of the Indian Ocean, a few kilometers below the Indian Subcontinent. This situation makes India and Sri Lanka its closest neighbors, and both countries have had political, cultural, and economic ties with Maldives for centuries. From the onset of the sixteenth century, the region was subjugated as colonies of the French, Dutch, Portuguese, and British. Maldives mostly maintained its independence and governed itself by sultans and at times by sultanas.[1] The rule of sultans was autocratic, a trend that continued in the first republic and with the first

[1] Prior to the advent of Islam in 1153 the head of state was referred to as king and queen. The term sultan and sultana started with Islam, and the reigning king during the time, King Theemuge Maha Kalaminja changed his name to Sultan Mohamed bin Abdulla. In Maldives history he is famously known as Dharumavantha Rasgefaanu. Mohamed Ameen Didi, *Moments of Maldives History* [in Dhivehi], Novelty Press, Male, Maldives, 2002, 35–37; H.C.P. Bell, *The Maldives Islands: Monograph on the History, Archaeology and Epigraphy*, The Ceylon Government Press, Colombo, Sri Lanka, 1940, 19.

two presidents of the second republics of Maldives. (The first republic was declared on 1 January 1953 by President Mohamed Amin Didi; and the second republic, in 1968 by President Ibrahim Nasir. During the period in between, Maldives was ruled by a monarch, King Mohamed Fareed.[2])

1. Early Developments

For centuries, Maldives has endured economic hardship, and it still relies heavily on the importation of all basic necessities. Its main export has always been different forms of processed tuna, especially dried tuna, and for a long time Sri Lanka remained its main market. Then, with the introduction of the tourism industry in the early 1970s, the economy started to grow steadily. Today Maldives maintains the highest GDP per capita in the region,[3] and has elevated its status in the international classification of countries from among least developed nations to the forum of developing nations.

Maldives embraced Islam in 1153, and ever since Islam has formed an important part of Maldivian society. In the 800-year-old Islamic history of Maldives, it was during the Portuguese rule, 1558–1573, that religion was challenged most. According to historical manuscripts, the Portuguese had plans to convert Maldivians to Christianity and forced them to consume alcohol. This plan was interrupted by the intervention of Mohamed Thakurufaanu, who waged a guerilla war against the Portuguese and finally liberated the country. This day (which falls on the first of Rabee ul Awwal, the third month of Islamic calendar) is commemorated as National Day (also known as *Gaumee Dhuvas*) in the Maldives.

When the British took control of the region, they replaced the Dutch as hegemons, and Maldives officially signed the British suzerainty agreement in 1887. Neither of the powers directly intervened in internal politics, and Maldives was left to govern itself according to its Islamic customs. An annual tribute was paid to the British and Dutch, and matters relating to defense and external affairs were conscripted to their control.

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[2] After overthrowing President Amin's government Maldivians voted in support of reverting to a kingdom.

[3] In 2012, GDP per capita PPP stood at US$7818.66. "Maldives GDP per Capita PPP," *Trading Economics*, 1 November 2013, http://www.tradingeconomics.com/maldives/gdp-per-capita-ppp.

Mostly due to British influence, Maldives established its first constitution in 1932, thereby ending the absolute power of the sultans and the hereditary form of government. With the establishment of constitutional rule, the sultan was to be selected and the government to be run by a prime minister. This became the starting point of the evolution of modern-day Maldives politics.

2. Road to Democracy

Before democracy arrived in Maldives, the constitution gave vast powers to the head of state. With these powers, President Mohamed Amin was an autocratic leader but also a visionary, change-oriented leader. During his days in office from 1 January 1953 to 21 August 1953, he used these powers to introduce modern education, bring women into the limelight, restructure communities to facilitate development, etc. For the conservative-minded religious scholars and businessmen who were affected by his policies, these changes were deplorable, and these circles conspired to overthrow him. Finally, they succeeded in August 1953—when President Amin was not merely ousted but attacked and killed by a mob.

President Ibrahim Nasir, who came to power after a short period of sultanate after President Amin's demise, established new industries and promoted trade. A sound economy is a crucial factor for establishing a democracy, and the road to such an economy was paved during President Nasir's autocratic rule (Prime Minister from 1957 to 1968 and President from 1968 to 1978). President Maumoon Abdul Gayyoom, who came into office after President Nasir, escalated the process that both President Amin and President Nasir implemented. During his 30-year rule, 1978–2008, President Maumoon maintained a strong grip on opposition thinking; at the same time, his contribution to the economy was immense.

The constant pressure by Mohamed Nasheed and his supporters, however, forced President Maumoon to start the democratic transition. In his fifth term in office, President Maumoon gradually started to bring in the necessary democratic changes. The legal status and necessary independent authority of the emerging democratic institutions was proclaimed with the first democratic constitution on 7 August 2007, which brought about

such institutions as the Supreme Court. In the runoff to the presidential elections of 2008, Mohamed Nasheed competed against President Maumoon and won the election to become the first democratically elected president of Maldives.

3. Efforts to Consolidate Democracy

President Nasheed's government sought to give the people a voice; freedom of expression and freedom of political affiliations became a reality. In the initial days of his presidency, however, Nasheed was challenged by Maumoon's loyalists in senior government appointments. Most of them were in shock and not sure of their fate under President Nasheed.

President Nasheed's approach to political opposition created more problems for his government. Initially Nasheed's actions did not threaten his administration, but as his actions started to become undemocratic, it created serious issues. These include the detention of Yamin Abdul Gayyoom and Gasim Ibrahim, and later judge Abdulla Mohamed. Finally, these problems led to his resignation, an almost fatal blow to the infant democracy of Maldives.

To the surprise of many, especially the international community, President Nasheed's successor—his vice president, President Waheed—fulfilled the democratic dream of Maldives. Maldives is in a much better position democratically than it was during President Nasheed's administration,[4] proving many international actors that they were wrong and that Maldives could settle its problems peacefully by using its own democratic establishments.

[4] In total opposition to the thesis, under Freedom House's classification Maldives is regarded as "partly free" and its democracy is said to have slipped from 3 to 5 since the resignation of President Nasheed. The report also points that President Nasheed was forced to resign, and since that time the military has been influential in political decision-making. See "Freedom in the World 2013: Democratic Breakthroughs in the Balance," Freedom House, http://www.freedomhouse.org/report/freedom-world/freedom-world-2013.

C. LITERATURE REVIEW

Democracy, a political system that evolved in the West, is quite new to the rest of the world. Even in the West for the many East European countries the phenomenon only occurred in the last three decades of the twentieth century, so it was for the Latin American countries. In South Asia, India was the first to adopt democracy starting from its independence in 1947. Countries like Pakistan after the partition in 1947 and Sri Lanka after independence in 1954 adopted democratic systems as well, but neither of these countries has a democratic system that is even close to what India practices. In other words, in Pakistan and Sri Lanka, democracy has not worked out very well and has not been able to fully mature over the decades. In contrast, Maldives is very new to the community of democratic countries and is still battling to consolidate democracy, though perhaps with more promising results.

1. Democratic Transition

Without properly understanding what democracy means, it would be difficult to establish what progress a country has made in its democratic history. The basis of a democracy remains the maintenance of human rights, freedom of the people, fair and free elections, equal opportunity for all to participate in governance, freedom of the media, and institutions to uphold these promises. Along these lines, scholars of democratization, Steven Levitsky and Lucan A. Way, define democracy as a type of government that facilitates free and fair elections, respects civil liberties (such as freedom of speech, press and association) and establishes even playing fields (including access to resources and media) for the opposition.[5] From a slightly different angle, Adolfo Suarez, the prime minister of the Spanish transition to democracy, notes: "The future is not written, because only the people can write it."[6] In this vein, Adam Przeworski defines democracy as a system where parties lose elections, and conflicts are addressed by established rules. No single person or single party decides the fate of the state, but rather multiple forces

[5] Steven Levitsky and Lucan A. Way, *Competitive Authoritarianism: Hybrid Regimes after the Cold War* (New York: Cambridge University Press, 2010), 7–11.

[6] Adam Przeworski, *Democracy and the Market: Political and Economic Reforms in Eastern Europe and Latin America* (Cambridge, UK: Cambridge University Press, 1991), 10.

compete within the institutional framework to come to conclusions.[7] Simply put, democracy means that it is the people's governance, and that people can both build a government and topple a government, but according to the pre-established laws of the state.

Democracy, by its definition shows the freedom it gives to the people compared to the oppression endured in autocratic regimes. If democracy is such a liberating system, why have all the countries of the world not adopted this system? The answer lies in the many works by various scholars. First of all, democracy is not an overnight phenomenon, and as most scholars accept, there are preconditions that facilitate the transition to democracy. According to Atul Kohli, as states move toward a path of economic success, improving state capacity is a vital element[8] which finally drives countries into democracies. The end of the colonial era in the last of half of twentieth century resulted in the emergence of many new states; now entrusted to rule the land on their own, most states adopted autocratic regimes, in contrast to the (more or less) democratic systems they had under the colonial powers. It was a matter of survival. The void in management amid the disruption of colonial disconnection left most post-colonial countries with scant obvious choice other than adopting an autocratic system to build their economies—as, for example, South Korea and Brazil. Autocracy is not necessarily a permanent condition; however, economic development is central to achieving democracy.

According to Ryan Kennedy, states that prosper economically have a greater chance of becoming democratic[9] By the same token, according to Fareed Zakariya, emergent democracies that cannot maintain economic prosperity have a 50 percent chance of reverting to the previous, authoritarian regime type—as has been the case in

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[7] Adam Przeworski, *Democracy and the Market,* 10.

[8] Atul Kohli, *State Directed Development: Political Power and Industrialization* (New York: Cambridge University Press, 2007).

[9] Kennedy shows that when a state reaches an annual per capita/GDP of $5300 it gains a 46 percent chance of becoming democratic, whereas a state in the next bracket down, $2800-$5300, has a 32 percent likelihood of enjoying a democracy. Ryan Kennedy, "The Contradiction of Modernization: A Conditional Model of Endogenous Democratization," *The Journal of Political Science Association* 72, no. 3 (July 2010), 790.

Bangladesh, Nigeria, the Philippines, Russia and Thailand.[10] Therefore, one important principle to enact a successful democracy is to have sound economic growth, and to sustain a new democracy, it is important to maintain a steady economic growth.

Political scientist Samuel Huntington identified 27 such preconditions or factors that are important for the transition of democracy. These include:

> a high overall distribution of economic wealth; relatively equal distribution of income and/or wealth; a market economy; economic development an social modernization; a feudal aristocracy at some point in the history of society; the absence of feudalism in the society; a strong bourgeoisie (no bourgeoisie, no democracy—in Barington Moore's succinct formulation); a strong middle class; high level of literacy and education; an instrumental rather than consummatory culture; Protestantism; social pluralism and strong intermediate groups; the development of political contestation before the expansion of political participation; democratic authority structures within social groups, particularly those closely connected to politics; low levels of civil violence; low levels of political polarization and extremism; political leaders committed to democracy; experience as a British colony; traditions of toleration and compromise; occupation by a pro democratic foreign power; influence by a pro democratic foreign power; elite desire to emulate democratic nations; traditions of respect for law and individual rights; communal (ethnic, racial, religious) homogeneity; communal (ethnic, racial, religious) heterogeneity; consensus on political and social values; and absence of consensus on political social values.[11]

According to Huntington these 27 factors are vital, but the degree to which any one of them is indispensable—or practical—also varies from country to country. Moreover, a country can become democratic without meeting every last one of these factors, but the more the factors are addressed, the better for the transition. That is, there will be more progress toward achieving positive outcomes that contribute to the fast and smooth transition to democracy.

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[10] "Democracy around the World," *World Savoy Monitor*, Issue 3, (August 2008), http://worldsavvy.org/monitor/index.php?option=com_content&view=article&id=181&Itemid=366.

[11] Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Oklahoma: University of Oklahoma Press, 1991), 37–38.

Democratic transition is a process that involves time and meeting certain criteria. As a result the duration of the democratic transition process varies from country to country depending on many factors, such as cooperation among political elites and effectiveness of state institutions. The phase of transition to democracy, hence, is not an assurance that the particular country will proceed with a democratic system; there is always the possibility of regressing the democracy or reverting to the former regime type. Therefore, it is important to understand the efforts to consolidate democracy, which is a process that minimizes the chance of reverting back to nondemocratic rule.

2. Democratic Consolidation

Scholars of consolidation of democracy, Linz and Stepan, introduce five conditions that, once met, ensure the consolidation of democracy. First, conditions must exist that support the development of a free and lively civil society. Second, there must be an environment of a relatively independent political society. Third, throughout the state, the government and the state apparatuses must be bound by rule of law, and individual freedoms and associational life must be protected. Fourth, there must be a state bureaucracy that can facilitate the democratic government to function. Fifth, there must be an established economic society. These conditions, rightly elaborated, include many aspects that are crucial for the smooth functioning of a democracy.

a. Civil Society

Civil society refers to the freedom enjoyed by the individual person and the society at large. These freedoms include very basic human rights to more sophisticated rights to create associations and solidarities, and to advance the interest of these groups. Different social movements under the banners of religion, gender, and sexual orientation, as well as associations from various social strata, such as trade unions,

entrepreneurial groups, and intellectual organizations, have to have freedom to maneuver in the society.[12] Autocratic or nondemocratic regimes, such as the former communist states, levy much effort on suppressing such movements.

b. Political Society

Political society refers to the liberty of the political actors to compete for office, and once rightfully elected to such posts, to have the legitimate authority to exercise control over public power and the state apparatus. Civil society could rise up against a nondemocratic regime and destroy it, but for democracy to consolidate political society must be heavily engaged. Democracy cannot be consolidated in a day, and therefore the civil society must develop an appreciation for the new democratic institutions, legislature, political parties and leaders, electoral system, and interparty alliances. Initially these might not function in the best of interest of the civil society, and time has to be given to develop and strengthen its democratic capacity.[13] For instance, in Egypt it was too early for the civil society to react against the democratically-elected government only after a year of democratic rule that came after decades of nondemocratic rule. For the democracy to survive and consolidate both the civil society and political society have to work together. When both adopt a discourse and a set of practices that are in conflict to other, the result will be that of Egypt.

c. Rule of Law

The third contributing factor to the consolidation of democracy is the rule of law. Rule of law should govern the everyday life of the state. Most importantly both civil society and political society must be embedded in and supported by it. No one is to remain above the law, and everyone is to receive equal treatment before the law and to be accountable for his or her actions. An elected body to formulate these laws and a judiciary to confirm that these laws are fairly upheld are essential. Not only the people,

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[12] Juan J. Linz and Alfred Stepan, *Problems of the Democratic Transition and Consolidation: Southern Europe, South America and Post-Communist Europe* (Baltimore: John Hopkins University Press, 1996), 7.

[13] Ibid., 8.

but even the various institutions of the state, must be governed in accordance with these laws. Hence, citizens should be able to appeal to defend themselves against the state and its officials and vice versa.[14] Such laws must entail protection of civil and political societies from being abused by other government institutions, and the law also should outline the institutions' roles and missions, procedures, civilian oversight, and control mechanisms, etc. Most countries soon after coming out of nondemocratic regimes begin by reforming the legislature that governs the operations of the state, as democracy could not be consolidated without reforming a state's institutions democratically.

d. A Usable Bureaucracy

An independent civil society and a political society that are governed by rule of law are prerequisite for a consolidated democracy, but these requisites are more likely if there is a bureaucracy usable for the democratic leaders. Democracy is a system that protects the rights of the citizens, and to do so democratic government needs to have legitimate control over the use of state apparatus. It is through the use of the apparatus that the democratic government can deliver the demands of the citizens. Therefore, a modern democracy needs to be effective in commanding, regulating, and extracting, and for these things to happen it needs a bureaucracy usable for the new democratic government.[15] If the various government institutions are not democratically reformed, their continued reliance on practices used during the nondemocratic regimes might act to sabotage the new democracy. Hence, all institutions need to be reformed to avoid such a catastrophe and to let democracy mature in the due course.

e. Economic Society

Finally, the supportive condition for democratic consolidation proposed by Linz and Stepan is the economy or 'economic society.' For democracy to consolidate there should be a sound economy with set of socio-politically crafted and accepted norms, institutions and regulations. Neither a command economy, nor a pure market

[14] Linz and Stepan, *Problems of the Democratic Transition and Consolidation*, 10.

[15] Ibid., 10–11.

economy has ever consolidated democracy and certainly will not. Therefore, for democracy to consolidate, it requires a well-regulated sound economy where civilian participation and state participation and control remain vital.[16] For the economy to function this way, once again institutional reform is important.

3. Challenges to the Consolidation of Democracy

Autocratic or non-democratic rule does not change into democratic government overnight. Those states that have made the transition took time and effort. Likewise to consolidate democracy it takes time and effort—time to understand the system and effort to become mature. To achieve the active cooperation of civil society and political society is crucial, and it is important that the military avoid any influence on these societies. In cooperating, all agencies should uphold the rule of law and facilitate the smooth functioning of the society. Furthermore, the military should remain out of politics and should not intervene in the democratic process; at all times the military must be subordinate to civilian authority.

a. Military Intervention in Politics

As previously noted, military intervention in politics is not supportive of the consolidation of democracy, and it must be avoided at all costs. The more the military intervenes and the longer it has its grips on politics, the longer it will take to consolidate democracy, because the foundation of democracy resides in the people's power not the military's control of politics. There have been cases in which military intervention has facilitated the transition to democracy, such as the case of the Portuguese military coup of 1974,[17] or the Romanian armed forces' refusal to follow dictator Ceausescu's order to crush the peaceful anti-regime demonstrators in 1989,[18] but to consolidate democracy the grip held by the military has to be relaxed, and governance should be left to civilians—freedom of political participation is a cornerstone of democracy. Given that, militaries

[16] Linz and Stepan, *Problems of the Democratic Transition and Consolidation*, 11.

[17] Ozan O Varol, "The Military as the Guardian of Constitutional Democracy," *Columbia Journal of Transnational Law* 50 (Summer 2013), 60.

[18] Thomas C. Bruneau and Florina Cristiana Matei. *Handbook of Civil-Military Relations* (New York: Routledge 2012).

still intervene in politics and some of the reasons for this include increased civilian dependence on the military and the popularity of the military.[19] In times of war or domestic crisis, political elites sometimes look to get the support of the military, and this requires the military to make some crucial decisions. When this dependence becomes over-reliance on the military to meet political needs, the situation worsens. For example, when political elites use the military to curb domestic upheavals and to spy on and detain political opponents, automatically the military becomes a police force, and the more such operations are carried out by using the military, the greater their influence over the political elites becomes. On the other hand, the more the civilian government becomes incapable of functioning, the more popular the military becomes. The military in most cases is a disciplined and well-organized institution, and when the civil administration starts to fail in its duties, it is human nature to lean towards a better option, the military. For example, when states become corrupt and dysfunctional in day-to-day activities, the military taking its popular stand may seek opportunities to intervene in the politics.

When these venues open up and the military intervenes in politics, using one or more of the three major forms of intervention, any of which is a threat to consolidation of democracy: direct rule, indirect rule, and dual rule.[20] Direct rule is when the military takes the responsibilities of the state in its own hands. In such cases the military still might entertain a civilian cabinet, but one that is approved or appointed by the military, or the military might run the state by a junta of its own officers. Indirect rule results from the military's influence over the civilian government through various forms of pressures, such as blackmail and threats to overthrow the government to be replaced by another. Here the military influences through overt means only to show that the state enjoys a constitutional government. Dual rule occurs when, through the military's influence, a military leader takes control of a state and gradually civilianizes his rule

19 Samuel E. Finer, *The Man on Horseback: The Role of the Military in Politics* (New Brunswick, NJ: Transaction Publishers, 2006), 72–85

20 Finer, *The Man on Horseback: The Role of the Military in Politics*, 165.

while he improves his association with other forces. In this way, he holds influence over both the military and the civilian side. This is the most common approach taken by military dictators.

All these aspects of military intervention show how it deviates from what democracy wants to establish in a society: people power, freedom of political participation and association, fair and free election, etc. When these fundamentals of democracy are violated by the intervention of the military in politics, consolidation of democracy is out of the question. With military intervention of any type there can be no consolidation of democracy.

b. Weak Institutions and Corruption

Linz and Stepan stress the importance of a "usable bureaucracy," which entails the efficient functioning of state institutions as a crucial factor for the consolidation of democracy. Without the proper functioning of state institutions, there is no consolidation of democracy. If the crucial institutions become weak in executing their duties, there would be many functions of the society that would be negatively affected, which in turn would contribute to the regression of democracy. An institution may become weak due to lack of capable persons to run the institutions, negative influence from civil and political organizations, lack of laws to regulate institutions, and in some cases, the military's influence on state institutions and corruption.

Corruption, indeed, has become a particularly great threat to the consolidation of democracy, and the issue is seen being addressed by politicians in their campaigns, but little gets done once they are in office in many cases. According to Michael Johnston corruption is the "abuse of public roles or resources for private benefit."[21] What facilitates this "abuse" is lack of proper laws or ineffectiveness in implementing such laws. Once that becomes the case, it results in weak political and market institutions. The weaker these institutions get, the more into disarray democracy runs, paving the way for illicit activities to develop. Once corruption engulfs a society

21 Michael Johnston, "Corruption and Democratic Consolidation," Conference on Democracy and Corruption, Shelby Cullom Davis Center for Historical Studies, Princeton University, revised June 2000, 5.

and it becomes part of life, it gets so organized that political and bureaucratic networks are formed. When that happens, if necessary, these groups will resort to violence to protect their interests.[22] Although it is not the only threat to the consolidation of democracy, weak institutions, and corruption constitute a significant impact on it.

D. CONCLUSION

Consolidating democracy means that democratic governments have legitimate control over government apparatus, and the government has the will to rightly deliver its services to the general public. If its various government institutions are not democratically reformed and the democratic government does not have control over the reform process, it contravenes the above statement. Hence, without democratic reform of its various institutions, there is no consolidation of democracy. While Linz and Stepan's five arenas of civil society, political society, rule of law, usable bureaucracy, and economic society are considered conditions necessary for a democracy to consolidate, these conditions in their entirety cannot function unless the institutions ensuring them are democratically reformed. Any kind of illegitimate intervention by any institution in any of these arenas will disrupt its democratic function, which translates to not achieving consolidation of democracy. Therefore, to consolidate democracy, democratic reform of institutions is vital and these became the essence of Maldives' road to consolidation of democracy.

22 Johnston, "Corruption and Democratic Consolidation," 4.

II. THE RESIGNATION OF PRESIDENT NASHEED AND THE ALLEGATIONS OF COERCION

Maldivian history has its unique way of repeating; the circumstances that led to President Nasheed's resignation have similarities to that of what happened to the first president of Maldives, President Amin. President Nasheed's resignation received much international attention, and it became a scandalous issue when President Nasheed later declared that his resignation was coerced. This simple statement created an unanticipated challenge to the new government of President Waheed: MDP supporters poured onto the streets demanding justice, and the international community raised questions about the legitimacy of the new presidency. This chapter analyzes the circumstances that led to President Nasheed's resignation, and explores how much truth there is to President Nasheed's allegations. Furthermore, the chapter explores earlier Maldives presidencies. This context informs Maldivian efforts toward democratic transition and consolidation.

A. BEFORE 2008: NON-DEMOCRATIC REGIMES

In 1952, President Mohamed Amin Didi, who would have been the next king, refused to accept the crown, but rather requested to be the president of the state elected by popular vote. The political elites of the era gave in to his demands[23] and a plebiscite was taken in the capital, Male. Any Maldivian citizen who happened to be in Male at the time was requested to vote in the elections.[24] President Amin became the first President of the first Republic of Maldives, more or less by popular vote, on 1 January 1953.

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[23] With the demise of Sultan Majeed Didi and his son, Prince Hassan Fareed Didi, the Majlis decided Mohamed Amin Didi should be sworn in as the next king. Amin Didi comes from one of the famous dynasties of Huraa from his father's side, and he had held many important jobs in various government departments. Because of his potential the Majlis decided he should be the next king, but he refused to accept kingship. Rather he chose to be the elected president of the state. To give in to his demands a referendum was held, and the country was proclaimed a republic on 1 January 1953 with President Mohamed Amin Didi as the president. Clarence Maloney, *People of the Maldives Island*, (Bombay: Orient Longman, 1980), 201; "Maldives under Abdul Majeed, Hassan Fareed and Mohamed Ameen 1924–1953," Maldives Culture, http://www.maldivesculture.com /index.php?option=com_content&task=view&id=122&Itemid=79.

[24] At the time, except by boat, it took weeks to reach the center of the country, Male, from the north or south. Therefore, in the first election the residents of Male and those who happened to have arrived in Male by boat were able to vote. The only condition was to be of 21 years of age and a Maldivian citizen. Ibid.

1. The First Republic, 1953–1954

President Amin became the head of state during a challenging time for the country. There had been widespread poverty since the late 1930s, and the situation worsened after the Second World War. Maldives, being dependent on imports of all its food, was heavily hit, particularly in the island communities. In addition, President Amin was also confronted with opposition to his development plans—and the autocratic nature of their implementation. For example, to break up the monopoly on fish export controlled by Indian traders (Bora traders), President Amin established a state firm (*Bodu* Store)[25] to carry out the activity and to provide a substantial income to the locals—to the detriment of the Indian traders and their powerful Maldivian friends, who began to agitate for his ouster. The latter, in turn, were also active in gathering the mob that physically attacked President Amin. He succumbed to the injuries inflicted from the mob attack on 19 January 1954.[26]

With the killing of President Amin ended the first republic, and once again Maldives reverted to a kingdom under King Mohamed Fareed. Initially, however, President Amin's vice president, Ibrahim Mohamed Didi, was appointed to lead the country after the revolution. He dissolved the People's Majlis (Parliament) and selected ten people to run a special committee that played the role of the Majlis. In 1954 once again a referendum was held among the general public to decide on the system of the

[25] Bodu Store was established during Amin's term as prime minister.

[26] From his childhood on, President Amin Didi had poor health, diabetes, high blood pressure and frequent high fevers. Due to the health issues he had, one time he requested the People's Majlis to relieve him of his duties temporarily so he could take a continuous treatment abroad. The Majlis rejected his request on the ground that he was too important to the country, and all his plans required his presence for their implementation. President Amin was on a medical leave in Ceylon when the uprising happened, and in his absence his government was overthrown by his vice president, Ibrahim Moahmed Didi and his close associates, namely the first president of the second republic, Ibrahim Nassir. Hearing the news and not fully aware of the situation President Amin hurried back to the country, and had to face the unfortunate demise. Initially he was taken to Dhoonidhoo, a nearby island, and provided with presidential services. While in Dhoonidhoo he started to communicate with some elites like Ibrahim Hilmy Didi to bring an end to the revolution and restore a monarchy, Ibrahim Hilmy Didi as sultan and President Amin as prime minister. After nearly four months when President Amin returned to Male and tried to take control of *Badeyrige* (military headquarters), a mob gathered from the four wards of Male, dragged him out of *Badeyrige* and severely beat him. With the injuries inflicted he was thrown into a boat, and tried and banished to Gaafaru Island. Later due to his ill heath was brought to a closer island to Male, Vihamaafushi. There he succumbed to his injuries on 19 January 1954. Mohamed Jameel, *Orchid: End of First Republic and the Demise of Mohamed Ameen – 1953* (Male, Maldives: Novelty Printers and Publishers Pvt., Ltd., 2012), 245–290.

governance, and the majority favored a monarchy. Therefore, a monarch was established, and the special majlis by a secret vote selected Sultan Mohamed Fareed to be the 84th king of the country, and for the first time in Maldives' history, a king was appointed.[27] Ibrahim Ali Didi was appointed as his first prime minister.

2. The Monarchy Restored and the Role of Britain, 1956–1967

Sultan Fareed, too, had to confront economic difficulty, and to seek some relief from it took advantage of signing an agreement with the British to establish a Royal Air Force (RAF) base in the Maldives. In 1956, Ceylon Prime Minister Bandaranayeke refused to further allow the British bases at Trincomalee and Kathunaye. As a result the British opted for Maldives, and Sultan Fareed and his Prime Minister, without the approval of the People's Majlis, signed the agreement with the British, who agreed to making an annual payment of two thousand pounds and offering economic assistance to the country. The creation of an RAF base on the southern-most island Gan also led to problems. In 1957 the British started the construction of the base, and the islanders were shifted to the adjacent islands of Maradhoo and Feydhoo, but the initial heat-up started when the islanders were denied their preferred island for resettlement, Gan of the Huvadhoo atoll. Prime Minister Ibrahim Ali Didi who spearheaded the relocation received severe opposition from the island mob, especially the women, who pelted him with water, stones, and coconut husks. Finally, he resigned in December, when a Male mob surrounded his home.[28] With his resignation Ibrahim Nasir was appointed as the prime minister, and it was he who had to face the dire consequences that emerged in the southern atolls.

Initially, there were clashes between the locals and the expatriate workers in the RAF base. The death of a carpenter from Ceylon, led the Ceylon government banning its workers from the Maldives. As a result, the British replaced them with Pakistanis. Later in the year the Majlis rejected the British base agreement, and Prime Minister Nasir went

[27] Previously, the kings were known as sultans, but under the new system, a constitutional monarchy, the king had the role akin to that of the monarch in Britain, and a prime minister runs the government.

[28] "Maldives Under Majlis Rule 1954 – 1957," Maldives Culture, http://www.maldivesculture.com/index.php?option=com_content&task=view&id=123&Itemid=79.

into long discussions with the British, but they did not cease the construction. Finally, when the British were formally requested to cease the construction, it lobbied for support from the local population, and assisted them in secession and the creation of a separate republic in the south, the Suvadive Republic.[29]

In opposition to British construction of an RAF base, Prime Minister Nasir stopped paying wages to the locals who were working for the British and disallowed about two thousand workers working on the RAF base construction. Furthermore, Prime Minister Nasir's new fishery tax was introduced to the atoll. The people of Addu, who were in a state much better off than the rest of the country but dissatisfied with Prime Minister Nasir's new policies, sided with the British to secede and form the new republic. Nominally the two adjacent atolls, Huvadho and Fuammulah, were also included in the republic, but they did not have representatives in the republic's People's Council. Under Abdulla Afeef's leadership Suvadive Republic was established in March 1959 and organized its activities well. As an invasion from Male was imminent, the British even bolstered the security of the new state.

Prime Minister Nasir took a referendum to support the suppression of southern revolt and launched an expedition in July to Huvadhoo and Fuammulah atolls to suppress the independence movement. The island of Thinadhoo in Huvadhoo Atoll was attacked, the elites arrested and their belongings confiscated. Those arrested were brought to Male, and some died due to torture. Not only in this particular incident, but during Nasir's entire career from prime minister to the president, he was famous for sentencing his opponents to harsh punishments. Likewise, due to the revolt from the southern atolls, Nasir's forces attacked Fuammulah and Thinadhoo again on two different occasions. On the third occasion, on 3 February 1962, the islanders of Thinadhoo were given 24 hours to flee the island, and Thinadhoo was made an uninhabited island. On the three different occasions the southern-most atoll, Addu, was not attacked due to the strong British presence.

[29] The British gave the contract for the construction of the base to Costain, Ltd., and it is they who carried out the activities to lobby support to secede. "The British Base at Gan, Nasir and the Suvadive Republic 1958–1968," Maldives Culture, http://www.maldivesculture.com/index.php?option=com_content&task=view&id=124&Itemid=79.

Though the rebellion in Huvadhoo Atoll and Fuammulah was brought to an end, the southern-most atoll, Addu, still maintained its status quo with the assistance of British forces at Gan Royal Air Force Base. In September 1963, the British agreed to hand over the control of Addu to Maldives by the end of the year and provide amnesty to Adulla Afeef and his family at Seychelles. Furthermore, President Nasir demanded independence from the British as a price for further use of Addu facilities. In the days that followed, President Nasir organized several anti-British riots and demonstrations in Addu and Male, and as result independence talks dragged on. Eventually, a deal was brokered, and on 26 July 1965 the British signed the independence declaration of Maldives.[30]

3. The Second Republic

Soon after independence was declared, once again in November 1967 the People's Majlis voted to establish the second republic, signaling the end of the monarchy and return to a government led by a president. Therefore, a referendum was held, and 90 percent voted in favor of a republic. Hence, on 11 November 1968, President Ibrahim Nasir was sworn in as the first president of the second republic.

President Nasir focused much of his attention on economic growth. Some of the remarkable achievements under his leadership were the first airport at Hulhulhe (now Ibrahim Nasir International Airport); the first government hospital, Central Hospital (now privatized as ADK Hospital); the first fish canning factory at Felivaru; the introduction of tourism to the country; and the first media services—Television Maldives and Voice of Maldives, today known as Radio Maldives.

President Nasir was no different from President Amin with regard to his political rivals. As Prime Minister in 1967, Ameena Didi (the daughter of President Amin) who was Nasir's secretary, and her husband, Mahir, were exiled amid accusations of plotting against him.[31] In 1973 as President he banished Ibrahim Manik, Abbas Ibrahim, and Maumoon Abdul Gayyoom (future president of Maldives) for voicing their opinion

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[30] Maloney, *People of the Maldives Island*, 201.

[31] "The British Base at Gan, Nasir and the Suvadive Republic 1958–1968," Maldives Culture, http://www.maldivesculture.com/index.php?option=com_content&task=view&id=124&Itemid=79.

against government policies.[32] On Thursday, 13 June 1974, the public gathered in protest of rising food costs, which resulted in the arrest of Nasir's political opponents, Prime Minister Ahmed Zaki, Ibrahim Fareed and Maumoon Abdul Gayyoom.[33] Thereafter, in 1975 the constitution was amended to abolish the post of prime minister and consolidate all powers of the government in the hands of the president.[34] Still, Nasir did not hold grudges long. For example, Maumoon Abdul Gayyoom, who was arrested and banished to outer islands, held high-profile jobs in President Nasir's government, both before and after the arrests.

In other words, President Nasir facilitated Maumoon Abdul Gayyoom becoming the next president of Maldives.[35] In the November 1978 presidential referendum, Maumoon (the only candidate) received more than 90 percent of the votes and was sworn in as the second president of the second republic on 11 November 1978. President Maumoon kick-started the major economic reforms adopted during President Nasir's administration. In particular, the introduction of new tourist resorts led to significant increases in revenue. The massive revenue from the tourism industry facilitated an increase in the capacities of other industries, and most profoundly led to a better educational infrastructure. In the 30 years of Maumoon's regime the country produced thousands of educated youth, and the literacy rate topped the region at 98 percent.

Apart from the economic development and educational progress during this regime, the treatment of political opponents remained the same—no freedom of speech

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[32] They accused government of allowing the sale of alcohol in the tourist resort, which is an act contrary to laws of an Islamic state. "The Dictatorship of President Nasir 1968–1978," Maldives Culture, http://www.maldivesculture.com/index.php?option=com_content&task=view&id=125&Itemid=81.

[33] Koli Hassan Manik who was arrested earlier revealed the plot to overthrow President Nasir, and to replace him with Prime Minister Ahmed Zaki, Ibrahim Fareed and Maumoon Abdul Gayyoom on 14 June 1974. "The Dictatorship of President Nasir 1968–1978," Maldives Culture, http://www.maldivesculture.com/index.php?option=com_content&task=view&id=125&Itemid=81.

[34] Maloney, *People of the Maldives Island*, 202.

[35] The Majlis nominates the presidential candidate, who goes to the ballot. In June Majlis voted in favor of President Nasir for a third term in office, and Maumoon received three votes. President Nasir, over his ill health rejected the offer, and in the next Majlis ballot Maumoon received 27 votes. Still Maumoon needs the consent of President Nasir to secure the nomination, which he provided. "The Dictatorship of President Nasir 1968–1978," Maldives Culture, http://www.maldivesculture.com/index.php?option=com_content&task=view&id=125&Itemid=81.

and indefinite detention without charges. The first major opposition was in 1983, when Mohamed Naseem (cousin of President Mohamed Nasheed and Foreign Minister of his government) lured some former Royal Marines into trying to topple the regime.[36] The second major incident took place on 3 November 1988. The People's Liberation Organization of Tamil Eelam (PLOTE, a Tamil resistance group in Sri Lanka) abetted by a few Maldivians—the most prominent being Abdulla Lutthufee and Ahmed Nasir who travelled all the way from Sri Lanka to Maldives with the PLOTE members—attacked Maldives.[37] On both occasions Maldives survived falling into the hands of external forces.

The most prominent member of the opposition during President Maumoon's presidency was Mohamed Nasheed. His activities included the publication of the *Huku* pamphlet during the 1990s, pressing the government to allow the registration of political parties in the late 1990s and early 2000s, and finally spearheading anti-government movements that led to the democratic transition of Maldives. As a result of Nasheed's outspoken criticism of the government, he was arrested several times, and he was subjected to severe punishment and torture at the hands of the security forces.[38]

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[36] The ex-Royal Marines were requested to assist in toppling the government claiming that the government was brutal to its people. They visited Maldives through normal channels, and in their diving cylinders carried weapons that would be required for the task. They inspected the country and found no evidence of such brutality and only witnessed a very peaceful country. On one of their patrols, they visited the NSS headquarters and requested the guard on duty if he could inspect the weapon. With no refusal he obliged and the marine after holding the weapon for a while returned it. As they found no evidence of alleged brutality they left the country and reported the issue to the government of Maldives. An investigation took place, and over radio the marines even testified against Mohamed Naseem. Mohamed Naseem was sentenced, but later received a presidential parole and served in the government.

[37] They attacked in the dawn hours and only left around 10 in the evening when the Indian Airborne forces arrived in Maldives. During the 16 hours PLOTE attempted many times and failed to take over NSS Headquarters. Finally, when defeat was imminent they hijacked a ship and sailed out into the sea with some hostages. They were intercepted by the Indian Navy and sunk. Most of the hostages were rescued and most of the terrorists arrested. "Maldives: A Close Shave," *India Today*, 30 November 1988, 44–48.

[38] The detailed accounts of President Nasheed, and the brutality he had to face for being anti-government were documented in the short film on him, *The Island President*, produced by Richard Berge and Bonni Cohen.

B. 2008 TO 2012: TRANSITION TO DEMOCRACY AND EFFORTS TO CONSOLIDATE DEMOCRACY

The road to democracy in Maldives started with the petition by Nasheed and his friends demanding the registration of their political party, the Maldives Democratic Party (MDP). The Maldives Democratic Party was established in Sri Lanka in 2003, after the Maldivian government rejected Nasheed's petition to form the party at home. It carried out its political activities from Sri Lanka. In 2003, Attorney General Hassan Saeed advised President Maumoon's government that there was no objection to the registration of political parties in the constitution and a decision to that effect was passed by the People's Majlis on 2 June 2005.[39] Hence, MDP became the first political party to register, and it was soon followed by the Divehi Raiyyithunge Party (DRP, President Maumoon's party). Other parties also came into existence. Having had a legal identity MDP started to organize its activities and established its first gathering place, *Haruge*,[40] at Dhunfinihiya, near Nasheed's maternal home. Rallies were held, the most prominent among them being the 12–13 August 2004 gathering at Republic Square.

President Maumoon's government pledged to bring about the democratic reforms and initiate the amendment of the constitution to suit it to democracy. Maldives faced its first democratic multi-party presidential elections in 2008. The first round of elections did not produce a winner,[41] and in the second round having all other political parties side with Nasheed and President Maumoon singly, Nasheed won the elections by a vote of 54.21 percent to 45.79 percent.

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[39] "President Gives a Brief on how the Issue of Registration of Political Parties was Debated in his Cabinet in 2001 [in Dhivehi]," *Haveeru Daily*, 6 June 2005, http://www.haveeru.com.mv/dhivehi/news/21929.

[40] In Maldivian language (Dhivehi) *Haruge* is a place where wooden boats are built, and when the *Haruge* is not in operation youths and elders also use it as a gathering place. MDP uses this term for their official gathering place.

[41] To win the elections more than 50 percent of the votes have to be secured. If not, the two candidates with the most votes will have to compete in a second round. The result of the first round was Mamoon Gayyoom (DRP) 40.63 percent, Mohamed Nasheed (MDP) 25.09 percent, Hassan Saeed (DQP) 16.78 percent, Gasim Ibrahim (JP) 15.32 percent, Umar Naseer (IDP) 1.4 percent, and Ibrahim Ismail (SLP) 0.78 percent.

As stated in the constitution, President Nasheed took the oath of office on 11 November 2008, becoming the third president of the second republic, and the first democratically-elected president of Maldives. President Nasheed became the aspiration of many, and he tried to consolidate democracy in the Maldives. First and foremost, the most profound outcome was the individual freedom people started to enjoy, a factor crucial for the consolidation of democracy.[42] Furthermore, political parties started to enjoy their political rights; the rule of law was upheld in the society; democracy supportive institutional framework was in place; and steady economic progress was attained.

1. Freer Civil Society

From the run off to democracy with the start of the amendment of the constitution people started to openly express their opinions. But the guarantee of freedom of expression for the first time in the history of Maldives was assured with President Nasheed taking the oath of office. Television and radio channels, newspapers and magazines, and in general, the common man became freer and more independent. For the first time people could open up and air the many grievances they had held for years. Government for the first time started to openly receive criticism, and reporters were able to investigate issues and bring these issues to public notice, something totally new in the Maldives. One of the most provocative cases concerned the wrongdoings of President Maumoon's regime, among which the use of public funds as loans to his family, friends, and cronies topped the list.[43]

2. Independent Political Society

With the new democratic constitution, political parties also had a voice, in all spheres of society, and especially through the People's Majlis. As President Nasheed came to power with the backing of all other parties except President Maumoon's DRP, these parties were represented as cabinet ministers and members of other government

[42] Linz and Stepan, *Problems of the Democratic Transition and Consolidation*, 7.

[43] "125 Million Rufiya (US$10 million) Paid to President's Cronies," Maldives Culture, http://www.maldivesculture.com/index.php?option=com_content&task=view&id=215&Itemid=61.

departments and corporations. For a democracy to consolidate, the cooperation of political parties also holds importance,[44] but for President Nasheed's government the appropriate cooperation from other political parties was short lived. Minister of Home Affairs Gasim Ibrahim (President of the Jumhooree Parties) resigned after only two months in office. Later, Advisor to the President Hassan Saeed (President of Gaumee Party) resigned. Some ministers like Minister of Foreign Affairs Ahmed Shaheed (member of Gaumee Party) and Minister of Education Musthafa Luthufee (member of Gaumee Itthihaadh) signed up to be MDP members. In short, in less than two years in office, all political parties except Adhaalath (led by the Ministry of Islamic Affairs) and Gaumee Itthihaad (Vice President Mohamed Waheed's party) defected from the government, but they also later distanced themselves from President Nasheed's government although they continued to hold their positions.

The defected parties cooperated with DRP and openly started to oppose President Nasheed's government.[45] President Nasheed, without looking for a compromise, opted to challenge the opposition.[46] This further escalated the situation and the opposition was then geared to oust President Nasheed. Therefore, during President Nasheed's presidency the political environment was not very supportive to the consolidation of democracy. This fact is also reflected in the public opinion on political parties and

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[44] Linz and Stepan, *Problems of the Democratic Transition and Consolidation*, 8.

[45] The opposition held rallies and opposed almost all government policies. When President Nasheed's government leased Ibrahim Nasir International Airport to GMR, the opposition voiced and organized rallies against it. When the government started to renew ties with Israel like bringing their doctors and intended to start Israeli Airline flights to Maldives, opposition geared against it in the name of Islam – Maldives supporting a state that suppresses the liberty of Palestine. One of the most prominent of such rallies was the rally of 23 December 2011 at Lonuziyaaraiykolhu, Male. "Pledge Made to Protect Islam at December 23 Protest," *Haveeru Daily*, 23 December 2011, http://www.haveeru.com.mv/video/407.

[46] In retaliation for the opposition rally of 23 December 2011, on the same day just few blocks away at Artificial Beach, MDP organized a rally on the theme of moderate Islam, and only President Nasheed addressed the crowd and dispersed. Another prominent issue was the MDP declaration of distrust on Majlis Speaker Abdulla Shahid (member of DRP) and proposed a bill to evict him from the post, but he survived the vote and remains the Speaker of the Majlis. Recently he too has signed for MDP. "In Harmony the Demonstrations goes into the History [in Dhivehi]," *Haveeru Daily*, 24 December 2011. http://www.haveeru.com.mv/dhivehi/news/114627; "MDP Allegations Are Wrong: Shahid," *Haveeru Daily*, 20 April 2012. http://www.haveeru.com.mv/dhivehi/noconfidence_motion /120083; "I Have Joined MDP: Shahid," *Haveeru Daily*, 18 April 2013, http://www.haveeru.com.mv/dhivehi/news/137129.

legislature/parliament. According to Transparency International's Global Corruption Barometer 2013, in the Maldives political parties and the legislature/parliament are viewed as being among the most corrupt institutions.[47]

3. Rule of Law Prevails

Once, the head of the state had the authority to appoint and dismiss any public servant at will, but this changed with the advent of democracy. Especially, in theory, the judiciary had become independent from outside influence, but practically there were allegations that the judiciary favored certain political parties.[48] They do not have to, and no political party could alter their career, but it is alleged that the judiciary maintains alliances with opposition parties. One of the reasons why President Nasheed opted to detain Judge Abdulla Mohamed was that MDP alleged that his rulings were politically biased.[49] To consolidate democracy the rule of law is important, and both civil society and political society should uphold its values.[50] These are only allegations, and in general apart from the political divide over the impartiality of the judiciary, the rule of law prevails in society. All government institutions have laid down rules and regulations that are empowered by the constitution, and those that violate the precedence are subject to penalties.[51]

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[47] Deborah Hardoon and Finn Heinrich, "Global Corruption Barometer 2013," *Transparency International*, 2013, 17, http://www.transparency.org/gcb2013/report.

[48] According to the Transparency International survey, Maldivian view of the judiciary is among one of most corrupt institutions in the county, only to follow after political parties and legislature/parliament. On a scale of 1 to 5 (1 being not corrupt and 5 being extremely corrupt), Maldivians view political parties and legislature/parliament as 4.2 and judiciary as 4. Ibid., 36.

[49] "Jameel Was Arrested Contrary to the Law," *Haveeru Daily*, 16 January 2012, http://www.haveeru.com.mv/dhivehi/news/115640.

[50] Linz and Stepan, *Problems of the Democratic Transition and Consolidation*, 10.

[51] Majlis member Ismail Abdul Hameedh was found guilty of corruption, and he was sentence and lost his seat in the Majlis. "Kaashidhoo Member Sentence to One and Halve Year," *Haveeru Daily*, 29 August 2011, http://www.haveeru.com.mv/dhivehi/news/109432.

4. Usable Bureaucracy

Democracy came to Maldives at a time when it was enjoying steady economic growth, except for some brief disruption due to the Indian Ocean Tsunami of 2004. The economic progress led to better education and institutionalization of all activities. In short, there were appropriate agencies to facilitate and monitor different economic activities—a usable bureaucracy that could facilitate the democratic consolidation.[52] Important agencies, such as the Audit Office (under the new democracy, the Auditor General's Office), Inland Revenue (a branch of Ministry of Finance and Treasury, and under democracy an independent authority renamed Maldives Inland Revenue Authority), and the Anti-Corruption Commission and Human Rights Commission of Maldives were already in place. They only needed the element of independence, which was provided to them with the new democratic constitution. Some new agencies that emerged with the new constitution included the Judiciary Service Commission, Police Integrity Commission, Media Council, etc. As there was an established system and a strong memory of institutionalization, these new agencies also started to function smoothly. Hence, President Nasheed's government was bestowed with a usable bureaucracy to run the country.[53]

5. A Sound Economy

A sound economy is another important element to consolidate democracy.[54] Maldives has a mixed economy where the private sector leads the economy. There are established rules and regulations governing commerce and institutions to facilitate and control it. The thriving tourism sector is the largest contributor to gross domestic product (GDP), and its revenue has facilitated a boom in other sectors. In addition to regulating commerce, government plays a vital role in the economy of the country. For example, the publicly-owned State Trading Organization (STO) remains an important entity to control

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[52] Linz and Stepan, *Problems of the Democratic Transition and Consolidation*, 11.

[53] According to Transparency International, Maldives is among the least corrupt nations in bribing institutions standing at less than 5 percent, an indication that its institutions are functioning properly. Deborah Hardoon and Finn Heinrich, "Global Corruption Barometer 2013," 10.

[54] Ibid.

the rising prices in the country. With Maldives being an import-dependent country, STO plays a vital role in providing necessities to the public at reasonable prices. The democratic government of President Nasheed took an important step in privatizing and organizing government-run businesses. In the Maldivian context, for the benefit of the new democracy it was important to establish or restructure existing businesses to improve their management. With conditions changed, President Nasheed took the could-be[55] important step of re-organizing some government businesses and privatizing some of their activities. Namely, the supply of electricity and provision of healthcare in the atolls was organized by the government under area utility companies and health corporations respectively,[56] and the international airport at Hulhule (Ibrahim Nasir International Airport) was privatized.

C. 2012: EVENTS PRECEDING THE RESIGNATION OF THE FIRST DEMOCRATICALLY ELECTED PRESIDENT

Democracy brought immense changes to the lives of Maldivian people, especially the freedom of expression and the assurance that being critical of the government would not result in punishment. President Nasheed, who himself was very vocal in criticizing President Maumoon's regime and suffered terribly at the hands of his security apparatuses, became a liberator to many. As one of the architects of Maldivian democracy, President Nasheed tried his best to promote the democratic rule of law. However, trying to establish democratic norms in every aspect of life and at the speed that he envisioned created problems for him.

On the other hand, certain of his policies conflicted with the religion of the state, Islam, according to some people. From the inception of his presidency Nasheed was critical of the judiciary and called for its reform, and in hastening this process, he

[55] President Nasheed's government organized the provision of utilities under difference different corporations, like the supply of electric in southern atolls to be conducted by Southern Utility Company. Previously in those islands electricity was generated by the government and by some individuals.

[56] Previously, the government and, in some cases, private individuals supplied electricity in the islands. This created a great disadvantage for the islanders as the residents of Male enjoyed comparatively cheaper electricity. To narrow this disparity the government organized electric service under regional utility companies. The Ministry of Health directly ran hospitals and health centers in the atolls, and to organize them much efficiently they were organized under regional health corporations.

unfortunately resorted to undemocratic means, which ultimately led to his resignation. He had Judge Abdulla Mohamed detained by MNDF (MNDF do not have the authority to arrest) and held him without charges.

The privatization of Male International Airport (now known as Ibrahim Nasir International Airport) also created many issues for his government. The agreement was signed when the opposition was strong, and the opposition was incapable of doing anything about it through the Majlis, as there was no law that could stop the privatization during that time. There was some opposition among some members of the board of directors of the Maldives Airports Company (MAC, a government company that runs all government airports) about who should be awarded the contract. Therefore, by the authority vested in the head of state on public companies, President Nasheed shifted the whole board and awarded the contract to GMR, an Indian company. The opposition rallied against the move stating that government was selling important government assets to foreign companies. The issue continued under President Waheed's government until the airport was stripped from GMR and returned to MAC's control.

It was during President Nasheed's three years in office that a Maldivian publicly declared that he does not believe in Islam,[57] and a small group held a protest demanding religious independence.[58] These actions were alleged to have been instigated by President Nasheed's government. These actions and the issue of establishing close ties with Israel further damaged President Naheed's image among some, and this was used as a tool against him by the opposition.

In the demonstrations that followed the arrest of Judge Abdulla Mohamed, every night the opposition made speeches reiterating these issues. The peaceful demonstrations that pledged to continue until the release of Judge Abdulla Mohamed, took a toll on

[57] During a public lecture given by prominent Indian Islamic scholar Dr. Zakir Naik, Mohamed Nazim declared to him that he could not say whether Islam is the right religion. By constitution the state religion is Islam and all Maldivians are Sunni Muslims. No other religion's holy places can be erected in the country, and no other religion can be practiced in the country. Non-Muslim foreigners are also banned from importing their religious symbols to the country.

[58] For the first time in the Maldives, a group of some 30 Maldivians protested demanding religious freedom. A group who rejected the idea attacked them, and later police detained some of the protesters. "Protesters Calling for Religious Freedom Detained by Police [in Dhivehi]," *Haveeru Daily*, 14 December 2011, http://www.haveeru.com.mv/dhivehi/news/114186.

President Nasheed, when his and his party's decisions on some crucial issues were not supportive to democracy. At first the demonstrations were peaceful and without much confrontation, so the security forces were able to disperse them every night at midnight. On the fateful evening of 6 February 2013, MDP members decided to approach the opposition demonstration. The police were able to handle the situation and placed a manned line between the two factions, anti-government protesters and MDP or government supporters; however, police were relieved from duty, and the MNDF was assigned to the task. That was the second mistake. Thirdly, at one point the MNDF was also asked to leave the area. The absence of security forces allowed conflict to erupt between both parties, and each side started to attack the other. Both police and MNDF intervened, but police were once again asked to leave the area.

These frustrated members of the police then became the reason for President Nasheed's resignation. These police personnel left the area to report back to their headquarters, but on the way they vandalized MDP *Haruge* at Gaakoshi, and instead of reporting back to headquarters, they gathered at Republic Square (in front of both MNDF and MPS Headquarters). President Nasheed, aware of the events, came to MNDF headquarters with some of his government members. Once again the wrong decisions made by President Nasheed played against him. President Nasheed objected to the mutinying police's demand for the Commissioner of Police to meet with them and to give them assurance that no more unlawful orders would be dictated to them. Instead President Nasheed, together with his Defense Minister Tholhath Ibrahim, approached the crowd and requested that they stop their protest and surrender to MNDF—which only escalated their fury, and they called for the resignation of President Nasheed. Meanwhile, both opposition protesters and MDP supporters gathered in the area, but the MNDF green zone cordon prevented them from merging into the mutinying police. The next wrong decision came when President Nasheed instructed MNDF to lift the green zone cordon. After some initial protest to the idea MNDF lifted the cordon, and the crowd merged with the mutinying police. The police and opposition supporters crushed the approaching MDP supporters, and once again MNDF placed its cordon and controlled the situation.

When the situation had escalated to this scale, matters only grew worse when some MNDF soldiers defected from their camps and joined the mutinying police. At this point, repeated efforts by MNDF to curb the situation by sending in riot squads failed. As the MNDF riot squads started to harass the mutinying police and MNDF soldiers, the angry protestors began to charge at MNDF headquarters. The situation was calmed only when former MNDF Colonel Mohamed Nazim (the current Minister of Defense), former Assistant Commissioner of Police Abdulla Riyaaz (the current Commissioner of Police) and former Deputy Commissioner of Police Mohamed Fayaz (the current Deputy Minister of Home Affairs) came to the area and intervened.[59]

President Nasheed was so infuriated by the MNDF's incapacity to curb the violence that he came down to the soldiers and started to command the troops himself. Together with the Minister of Defense, the Chief of Defense Force, and a few members of his government who were with him, he started to push the troops out of MNDF headquarters. When the situation calmed down with the arrival of former officers, Defense Minister Tholhath invited them to come inside the MNDF headquarters to negotiate the issue. A few minutes before that President Nasheed talked with a few troops inside MNDF headquarters about his next course of action. Those few soldiers unanimously supported his resignation. President Nasheed agreed to the demand and requested that he and his family should be protected from any negative outcome. For that, too, the soldiers unanimously cried, "Yes, sir."

After the negotiations Nazim and Riyaz came out of MNDF headquarters and assured the mutinying police and MNDF soldiers that he gave only one option to President Nasheed, and that was for him to resign without any conditions. The crowd roared in support of it. President Nasheed decided to resign and at the President's Office at one in the afternoon. The crowd outside MNDF headquarters was jubilant.

Meanwhile, two factions from the mutinying police and some MNDF soldiers headed to the national television station (Television Maldives was renamed MNBC One under President Nasheed) to take control of the station and to bring Judge Abdulla

[59] "Former Leaders of Security Apparatuses in Solving the Issue," *Haveeru Daily*, 7 February 2013, http://www.haveeru.com.mv/dhivehi/news/116725.

Mohamed to Male from MNDF Grifushi Training Center (Girifushi Island). These incidents took place while President Nasheed was still the head of state, and both MPS and MNDF did nothing to stop it.

D. THE SITUATION AFTER PRESIDENT NASHEED'S RESIGNATION

President Nasheed left MNDF headquarters in a car to reach his office nearby. For security reasons MNDF leadership insisted President Nasheed use the car, and the car moved with a surrounding team of MNDF security personnel. The crowd was roaring all around his car. Soon after reaching his office he wrote his letter of resignation as required by the constitution and addressed it to the Speaker of Majlis. To hasten the process, Abdulla Riyaz took the letter and handed it to a police officer to deliver it to the Speaker of Majlis in his residence. At one in the afternoon on 7 February 2013, President Nasheed, his cabinet behind him, resigned stating that it was in the best interest of the country that he do so. A president who often preferred to walk, Nasheed went to the Presidential Palace, Muliaage, on foot and continued to vacate to his maternal home.

The next day, President Nasheed together with his party members alleged that he was forced to resign, and his supporters rallied on the roads of Male. Reaching the Republic Square the attending police charged at the crowd and arrested some prominent figures, among them was President Nasheed. He was pulled from inside a shop, disrespectful to the dignity of a former president. The police were violent in the dispersal of the crowd and used more than minimum force.

Of course, many rumors started to flow; one of which suggested that Nasheed was forced to resign at gunpoint. Based on the report by the Human Rights Commission of Maldives and the Commission of National Inquiry (CoNI), it could be said that he was not forced to resign; he resigned for reasons necessary to him. Still, both Nasheed and his party insist to this day that he was coerced into resigning. A stance like this helps to keep the momentum of MDP supporters and gathers more support for MDP, so Nasheed could achieve an easy win in the 2013 presidential elections.

E. HOW HAS PRESIDENT NASHEED'S RESIGNATION AFFECTED THE CONSOLIDATION OF DEMOCRACY?

President Amin became the first president of the first republic, bringing an end to the centuries' old monarchial rule. When he was ousted, it ended the newly introduced republic in less than a year. Likewise President Nasheed became the first president of a new system, a democracy, but unlike President Amin, he resigned, and that after three years in office. If history were to repeat itself, the democracy that came with President Nasheed would have collapsed, like the first republic ushered in by President Amin. But this has not happened, and democracy in the Maldives took the path to consolidation. Many factors have contributed to it such as the current president's attitude on democracy, the absence of the military's involvement in politics, the position of the people of Maldives, and the democratic constitution and its establishments. Democracy has gradually taken its place and is slowly consolidating. As Linz and Stepan stated, "Transition to democracy results when there are agreeable political procedures to establish an elected government, and consolidation of democracy arises from the combination of behavioral, attitudinal and constitutional dimensions, which creates a political situation where democracy happens to be the 'only game in town.'"[60] In Maldives all these factors are in place, and the only option left is for democracy to consolidate better and stronger to reach the levels of developed democracies.

[60] Linz and Stepan, *Problems of the Democratic Transition and Consolidation*, 5.

III. THE MILITARY AND ITS ROLE IN SOCIETY AND POLITICS

One of the greatest challenges to the consolidation of democracy comes when the military intervenes in politics. From the inception of the Maldivian military, its functions have remained broader than the conventional militaries of modern times. Apart from conventional military duties, the Maldives military performs coast guard, fire and rescue, and national guard duties—all while maintaining a troop strength that has never exceeded 4,000 soldiers. Moreover, the civil administration relies heavily on the military for such tasks as policing and nation building.

On the one hand, the Maldivian people hold their military in high regard as keepers of the peace and guardians of the nation. On the other hand, the close association between the military and civil administration casts some doubt on the role of military in politics. Particularly amid the events that led to the resignation of President Nasheed, the Maldivian military is alleged to have intervened in affairs of state well beyond the tolerances of democratic practice. This chapter examines the role of the military in Maldives' transition to democracy and in its democratic consolidation, including the controversy surrounding President Nasheed's resignation.

A. HISTORICAL BACKGROUND OF MALDIVES MILITARY

For most of its history, Maldives has been an independent and sovereign state, but it has not passed a century without its independence and sovereignty being threatened by external forces. On most of these occasions, a few Maldivians were the motivators or lure for the aggressors.

There was no permanently organized military force in the country until the late nineteenth century, but the ad hoc fighting squads that defended the country and the fighting cadres typically included the same fighters; only a few new faces appeared each time. Therefore, it cannot be said that there was no military in the Maldives before the late nineteenth century, but a military that was raised, utilized, and relieved on an as-needed basis.

The idea of forming a permanent military was that of Sultan Ibrahim Nuraddeen. Seeing a group of men practicing their martial arts and drilling skills in the palace compound convinced the Sultan to establish them as a permanent institution and use them in ceremonial activities. As a result, on 21 April 1892 an eight-member security institution was established, and as intended, they preceded the Sultan in his official processions. Thus, their prominence, importance, and respect grew in the due course of the time.

One event that totally changed their image was the attack by the Pichory in 1909. A group of men from the northwest of the Indian subcontinent lured by few Maldivians, Mohamed, Ibrahim, and Abdulla Did of Malinge, attacked Maldives.[61] When the attacking forces reached the north of the country, the capital Male soon received the message of their presence, and the very young military institution prepared for the impending attack. Under the leadership of Commander Ismail Didi the security force was ready to face the threat, as Maldivians has always been. As the adversaries reached the Bandos Island, some ten miles from Male, the Maldivian forces attacked them, and in few hours they were defeated and surrendered to the Maldivian forces. The heroism and tactfulness shown by the Maldivian forces raised their status in the country, and thereby, they started to become an important player of Maldivian society.

On 10 January 1979, the security force was renamed the National Security Service, under the Ministry of Defense and National Security, and it remained that way until it was once again renamed Maldives National Defense Force (MNDF) on its 114th anniversary, on 21 April 2006. Except for a brief time, police service was an integral part of the Maldives security forces. The police function was reestablished as a separate branch of the security force on 13 March 1972. (On 29 March 1933 the police force and security force were separated from one another, but the independent police force was soon disbanded.) This organization persisted until the service was established as a completely independent service from the security force on 1 September 2004. It was then called the Maldives Police Service (MPS), under the Ministry of Home Affairs. While

61 "Maldives 1900–1920," Maldives Culture, http://www.maldivesculture.com/index.php?option=com_content&task=view&id=121&Itemid=78.

police service was an integral part of the security force, the security force operated the prisons run in the country. The administrative elements of the prisons fell under the Ministry of Home Affairs and Environment, but overall the Ministry of Defense and National Security controlled the security and other aspects of the prisons.

B. THE MILITARY'S ROLE IN THE TRANSITION AND CONSOLIDATION OF DEMOCRACY

During the upheavals destroying the first constitution and its establishments, and the revolution that brought down President Amin's rule, Maldives' security forces remained a mere spectator. Until recently, the Maldives security forces have remained silent during all political upheavals.

This is not to say that the military has had no political role. From their inception, the security forces have always remained under the command of the head of state and acted very much as a tool of the head of state: policing the state, assisting in social work, and serving as a buffer from external threats. From its official inception to date the security forces have been mobilized thrice for external threats and one possible external threat,[62] and the rest of the time they have mostly been engaged in policing the state and providing social assistance and, only very briefly, serving on terrorism and insurgency related cases.[63]

The autocratic nature of the governments before Maldives became a democracy and the use of military as a policing element meant the autocratic leaders heavily used the military to curb political opponents. The practice was simple; once the autocratic head of

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[62] The first was the Pichory attack, and the second was the PLOTE attack of 3 November 1988. Apart from these MNDF intercepted a trawler in Maldives waters carrying a stock of weapons destined for the LTTE cadres of Sri Lanka. On a report by a Maldives fishing boat, that the trawler fired shots on them, MNDF Coast Guard intercepted the vessel, and in the events that followed sunk the vessel and arrested the culprits.

[63] Maldives saw its first explosion of an improvised detonation device in 2007. A group of fanatics to instill fear in tourists detonated the device on one of the few tourist sites in Male, Sultan Park. There were no fatalities, but injured a few tourists. In subsequent events, an island community, Himandho that harbors hardline thinking was brought down after a two-day confrontation. "Sultan Park Bomb Incident: After Many Days Planning the Device was Assembled at a Guest House [in Dhivehi]," *Haveeru Daily*, 9 October 2008. http://www.haveeru.com.mv/dhivehi/news/53078; "Special Report on Himandhoo: Himandhoo under Security Forces' Control and Started Arrested Some [in Dhivehi]," *Haveeru Daily*, 8 October 2007, http://www.haveeru.com.mv/dhivehi/news/53023.

the state ordered the arrest of a person or persons, there was no other force that could intervene in the operation of the military, and so the military always executed such orders promptly and as ordered.[64]

Until the democratic transition kicked off in the country, it was the military that handled and operated the prisons as well. Once apprehended the political opponents were taken into jails and prisons operated by the military. Brutality in some of the cases has only surfaced recently with the newfound freedom of expression. Previously the stories of brutality in the prisons were only hearsay for most people. A recently published book by historian Ahmed Shafeeq, *A Day from Ahmed Shafeeq's Life*, gives some details of the brutality of the prisons, in which he documents 111 prison deaths during President Gayyoom's regime.[65] The legacy was the same even with President Amin and President Nasir.

The democratic transitional movement initiated by President Nasheed and his colleagues peaked with the death of a prison inmate on 19 September 2003. Hassan Evan Naseem, a convicted drug user in captivity who refused to come out of the cell for an incident in which he was not involved, objected to the prison guards, and got into a confrontation with them. Finally, he was removed from the cell and was brutally beaten by a few prison guards. He succumbed to his injuries in the evening, and the news hit the country, especially the capital Male, like a wildfire. As a consequence, on the next day there was a prison riot in the only prison in the country at the time, Maafushi prison, and

[64] In short the obedience of the leading military figures was bought by the autocratic heads of state. Though Maldives has never witnessed a total military coup; all heads of state were in mind that the military could easily topple a government, and therefore the loyalty of the military leadership was well established. Military was financed well, and leading military leaders received special favors from the government. That included even providing islands to set up tourist resorts, which is the highest income-earning source to the country. Critics of this, on the other hand, could establish that it was the uncontestable authority of the head of state inscribed in the constitution that made the military leaders do what they did, and in order to maintain their professionalism simply followed the orders.

[65] Ahmed Shafeeq's book was inaugurated in a special ceremony by President Nasheed, and vowed that the police service in his government would not function without properly investigating the capital punishments given to Ahmed Shafeeq under President Maumoon's regime. President Maumoon took the alleged case to the courts claiming compensation for clouding his dignity. The court found that the allegation made by Ahmed Shafeeq was bogus, and in absentia fined him in MVR 5000. "If Writer Shafeeq's Case Does not Proceed, Police will not Function [in Dhivehi], *Haveeru Daily*, 10 October 2010, http://www.haveeru.com.mv/dhivehi/news/94777; "It Was Found that Ahmed Shafeeq Wrongfully Stripped Maumoon's Dignity [in Dhivehi]," *Haveeru Daily*, 10 October 2004, http://www.haveeru.com.mv/dhivehi/news/125105.

inmates broke from their cells and headed towards the armory. The prison guards who were also members of the military took their weapons and warned the approaching inmates to surrender. In recent times weapons have not been used in the country against Maldivians, and that fact may be what made the inmates continue their approach. Finally, when it was believed that the inmates would not stop, the guards opened fire killing three and injuring 17 inmates. A large crowd had gathered for the burial of Hassan Evan Naseem, and it was then the news of the second incident at Maafushi prison reached the corners of the country. The public was infuriated, and in Male, an angry mob went on a rampage, vandalizing and burning down government buildings and other properties. The military was able to suppress the uprising late that night, and for the first time in the history of Maldives, a state-of-emergency was declared.[66]

However, in his broadcast speech to the nation on the evening of 20 September 2003, President Maumoon tried to convince the public that the military only took the actions it had to take, and he promised that an independent commission would investigate the issue of Evan Naseem's death and the Maafushi prison incident.[67] The opposition of President Nasheed and his colleagues found another fresh venue and became very vocal on the issue in the coming days and years. The Maldives Democratic Party (the MDP, President Nasheed's party) annually marks the day. Furthermore, the government enacted an independent commission to inquire about the case, and its findings were in favor of the opposition. Some prison guards were found guilty of the murder of Evan Naseem, and the firing on inmates was confirmed to be inappropriate and beyond use of minimum force.[68]

The death of Hassan Evan Naseem and the shooting at Maafushi prison became a turning point in the country's politics and the mindset of military leaders. Initially, when these two events unfolded, there was nobody to take responsibility for the wrongful incidents. Neither the Chief of Staff of MNDF Major General Mohamed Zahir nor Vice

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66 "Investigative Findings of the Death of Hassan Evan Naseem," *Presidential Commission*, The President's Office, Male, Maldives, 29 December 2003.

67 The next day, President Maumoon appeared on public television and radio and tried to the justify the actions of the military indicating that the military gave all necessary warnings, but opened fire as a last resort when their lives were in danger.

68 "Investigative Findings of the Death of Hassan Evan Naseem."

Chief of Staff Major General Adam Zahir (also Commissioner of Police), nor the Minister of Defense Major General (Rtd) Anbaree Abdul Sattar took responsibility. Each of them was waiting for a reaction from the other. The general idea within the members of the military was that the decision taken by prison security (that is, MNDF soldiers) to shoot the aggressive inmates was justifiable, but there was a difference of opinion[69] over the beating and death of Hassan Evan Naseem. The Presidential Commission's report that came out in late December highlighted a lack of coordination between the Ministry of Defense (MNDF was responsible for the security of Maafushi prison) and the Ministry of Home Affairs and Environment (responsible for the administration of Maafushi prison). Furthermore, the commission found that the prison guards were not adequately trained for incidents like that of 20 September 2003.

Even after these issues surfaced, none of the heads of responsible authorities took any responsibility for the incidents, nor did President Maumoon's government take any action against the leadership of responsible authorities. If anything changed, it was that those who were responsible for Hassan Evan Naseem's death and the Maafushi shooting incident were tried in the courts; some of them received death penalties.[70] And the second major change was the decision to separate the police as an independent institution from the military.

The police force was still a branch of MNDF when the opposition organized a mass rally in Male on 12–13 of August 2004. A large crowd gathered at Jumhooree Maidan (a public square in front of MNDF and MPS headquarters and two blocks from the President's Office) and started to raise their concerns. Prominent figures like Sheik Hassan Fareed (a hardline religious preacher) and Gasim Ibrahim (one of the richest man in Maldives and later president of the Jumhooree Party) took the center stage in the crowd. The government kept its patience, and only at various intervals requested the

[69] During those days it was not a big deal to punish an inmate separately. There was a practice generally known as "range," which meant disobedient inmates would be brought to an open ground and subjected to various punishments of a harsh military nature. Some were left cuffed to palm trees for days. These things were highlighted in the President's Commission report on the death of Hassan Evan Naseem.

[70] In the Maldives, though death sentences are awarded, they are never executed. Under a presidential decree all who are sentenced to death always receive a presidential pardon, which changes the sentence to life imprisonment.

crowd to peacefully disperse, but on the second day the atmosphere changed. A member of the crowd stabbed a police officer who was on watch, and a fire was set at a government building (Huravee Building). None of the events was fatal, but in response MNDF did give an ultimatum to disperse or be forced to clear the area. When the ultimatum ended, the crowd was forcibly dispersed, and many apprehended, but the incident died down calmly. Over the course of the following months only small protest groups arose. This particular incident became the catalyst for democratic change.

The administration of President Maumoon promised to bring democratic reform and amend the constitution to accommodate a democratic government. At the same time, the members of the military started to understand the difference between the present government system and what the opposition was demanding. Furthermore, the opposition started to attract support from the military and its leadership. Secret meetings were held with military leaders to foster the idea of change (democratic change). As a result, a virtual partition started to build up between military leaders, those that supported President Maumoon's regime, and those that supported the idea of change or President Nasheed.

Having the two factions established in the military, those that supported President Maumoon and those that supported a change (not President Maumoon again) or President Nasheed, they indirectly started to spread their reasons among other members of the service. The military did not play any role that would hinder the democratic transition, because both factions were pro-democracy. A special session of the People's Majlis was elected by the people to amend the constitution to facilitate the transition to democracy, and the MNDF offered its fullest support by providing any feedback required and assisting in formulating rules and regulations governing the role and mission of military. In addition, the Maldives Police Service that separated from MNDF on 1 September 2004 also provided cooperation and necessary assistance in the effort to amend the constitution.

With its many challenges, the special session of the People's Majlis under the leadership of Speaker of the Special Session of the People's Majlis, Gasim Ibrahim, completed the amendment of the constitution to facilitate democracy. A small problem

occurred when President Maumoon delayed ratifying the new constitution and raised concerns over certain issues in the constitution. One such concern was that a dramatic democratic change would be difficult to cope with immediately. Finally, President Maumoon signed the new constitution into effect on 7 August 2008,[71] after a few nights of opposition protests outside the Presidential Palace, Theemuge.

As stated by the new constitution and MNDF regulations that followed on 1 January 2008, MNDF stayed out of domestic politics and would only intervene when requested by MPS or by the head of state. In one respect, the ideological difference among senior leadership of MNDF was a blessing for the democratic transition of the Maldives. It withheld any bias from the military leadership to any one side of the political divide (President Maumoon or Nasheed), and especially to the long reigning President Maumoon's regime. Very obviously, there were secret and open movements to seek support for President Maumoon, but due to almost an equal amount of opposition to the idea of President Maumoon, it was greatly blocked the pro-President Maumoon supporters in spreading their agenda inside the military unchallenged.

C. THE MILITARY'S ROLE IN THE RESIGNATION OF PRESIDENT NASHEED

From the day that President Nasheed was sworn in, the opposition movement started against him. First, the supporters of President Maumoon, which was about 40 percent of the country, were dismayed to see a regime change. His supporters strongly believed President Maumoon was a better candidate than President Nasheed to promote Islamic values in the country, but in contrast to this idea the only political party set on religious lines was in coalition with President Nasheed. Second, a few months into President Nasheed's presidency, most of the political parties in coalition with President Nasheed's MDP defected and joined in the opposition with the President Maumoon's DRP. One of the three political parties that remained until the last minute with the MDP government, but without active support, was Vice President Waheed's Gaumee

71 "President Maumoon Signed the Constitution into Effect," *Haveeru Daily*, 7 August 2013, http://www.haveeru.com.mv/dhivehi/news/65733.

Ihthihaadh Party. Third, during President Nasheed's era many anti-Islamic movements and activities surfaced, which were alleged to be happening with the blessing of President Nasheed's government.

With these factors opposing President Nasheed, there were calls that stated that the movement would not die down until President Nasheed was overthrown. Some of these calls even indicated that some opposition forces would go as far as total disobedience or plotting the assassination of President Nasheed.[72] The opposition movement was of the mindset to get rid of President Nasheed before the full term of his office, and President Nasheed's team to some extent erroneously played their counter measures and still managed to suppress the opposition movements to some degree. Some of these measures were controversial and also against the laws of the state. The iron fist rule used in suppressing his opponents, which exceeded the limits of the constitution, ultimately resulted in the demise of the presidency of President Nasheed. This became a great victory for the opposition that on occasions had vowed to overthrow him before he completed his term in office.

Mostly the instances in which President Nasheed's actions were unlawful were those when the military was used wrongfully and beyond its mandate. The President voiced his confidence over the MNDF on his first address to its members just after his oath taking ceremony,[73] and subsequently resulted in his overuse of the military to establish his political objectives. First, the initial refusals of the Chief of Defense Force (CDF) to appear before the parliamentary oversight committee regarding the violence that erupted as a result of the 29 June 2010 cabinet resignation.[74] Second, MNDF was

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[72] Diyana Saeed, who held the post of attorney general in President Nasheed's government and post of Minister of Human Rights in President Waheed's government, after quitting the President Waheed's government issued a report stating that to get rid of President Nasheed's government the opposition had plans to go even to the extent of assassinating him. "X is MP Nazim and Y is MP Nasheed," *Haveeru Daily*, 21 January 2013, http://www.haveeru.com.mv/saarc/46954.

[73] He praised MNDF for its impartial role and professionalism shown during the first democratic election and in the events that led Maldives to a transition to democracy. "President Nasheed Meets with MNDF," *Haveeru Daily*, 11 November 2008, http://www.haveeru.com.mv/dhivehi/news/69606.

[74] "Military Service Committee Report: MNDF and Police Failed to Adhere to the Request to Appear to the Committee Hearing," People's Majlis. http://www.majlis.gov.mv/di/salaamathee_hidhmaithakaa_behey_committee_report.

ordered to lockdown the Supreme Court as the interim period of the Supreme Court ended, and President Nasheed's government failed to work with the People's Majlis to appoint permanent judges to the court.[75] Third, MNDF detained two Majlis members, Yameen Abdul Gayyoom (half-brother of President Gayyoom and President of the People's Alliance) and Majlis Member Gasim Ibrahim (President of Jumhooree Party), on allegations of plotting to bribe Majlis members.[76] Last, there was the controversial arrest of Criminal Court Judge Adbulla Mohamed and detaining him in MNDF training island, Girifushi.[77]

As President Nasheed used the military to achieve his political objectives, and when almost every time it worked against him, his popularity among members of the military started to deteriorate. In particular, it gave an opportunity for the faction that from the beginning disfavored the government of President Nasheed to attract support for their cause. In addition, the popularity of President Nasheed began to dwindle among many members of MNDF, as in all the previously mentioned interventions the MNDF found no legal ground to justify its actions. Moreover, the government could not establish any solid proof of what they claimed to be the motive behind those actions. As a result the last intervention of MNDF in the arrest of Judge Abdulla Mohamed ended in some amount of discontent among some members of MNDF and the premature resignation of President Nasheed.

Criminal Court Judge Abdulla Mohamed was arrested from his home in the middle of the night of 16 January 2012. The Maldives Police Service refused to carry out his arrest without sufficient proof and court orders, and this led President Nasheed to opt for his most reliable agent, the MNDF. Unhesitant as usual, MNDF obeyed the orders of a head of state and went forward with the operation and held the judge at Girifushi Training Center. Subsequently, the High Court ordered MNDF to appear before the court,

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[75] "Maldives in Constitutional Turmoil as Interim Period Expires Unsettled," *Haveeru Daily*, 8 August 2010, http://www.haveeru.com.mv/English/details/31189.

[76] "MNDF Fails To Appear in Court for Yameen's Detention Hearing [in Dhivehi]," *Haveeru Daily*, 15 July 2010, http://www.haveeru.com.mv/dhivehi/news/91656.

[77] "MNDF Once Again Rejected To Appear in the Court for the Hearing of Judge Abdulla [in Dhivehi]," *Haveeru Daily*, 23 January 2012, http://www.haveeru.com.mv/dhivehi/news/116012.

but its repeated orders were neglected. As a result, the case was heard in the absence of MNDF, and it was declared that MNDF did not have the authority to arrest and detain civilians and the People's Majlis and Judicial Service Commission should deal with issues relating to judges. Hence, it was ordered to release the judge immediately. MNDF did not even blink at the order. Therefore, the issue was taken to the Supreme Court and resulted in the same verdict,[78] but MNDF once again disregarded the orders.

Apart from the court orders and the criminalization of the act by various other independent organizations, the public (opposition parties) held demonstrations demanding the release of Judge Abdulla Mohamed. The demonstrations continued for 22 consecutive nights until the resignation of President Nasheed and the release of Judge Abdulla Mohamed. The demonstrations were mostly peaceful, and at midnight the Maldives Police Service together with MNDF issued an ultimatum to disperse the crowd, which mostly withered away without much confrontation. On the game-changing evening of 6 February 2013, the demonstration was held at Artificial Beach away from the area where the previous nights' demonstrations were held, nearby Maldives Monetary Authority, close to MNDF and MPS Headquarters. Also unlike previous evenings, on this particular night pro-government MDP supporters also gathered at the same venue. The demonstration turned into riots with a clash between the two factions. The intervening police force was relieved from the area, and MNDF was assigned to control the crowd. At one point even the MNDF squad that was assigned to crowd control was asked to retreat.

The police squad, which was relieved from the area and dissatisfied by the orders they received, moved into the MDP official gathering place, MDP *Haruge* at Gaakoshi, and ransacked the place. Instead of reporting back to their headquarters they moved into Republic Square and demanded to meet the Commissioner of Police Ahmed Faseeh and be assured that they would never receive unlawful orders again. The public gathered to witness this event, but the crowds were prevented by the green zone cordoning MNDF soldiers. The commissioner of police never met the mutinying police officers, but

78 "The Supreme Court Orders Immediate Release of Abdulla Mohamed," *Haveeru Daily*, 7 January 2012, http://haveeru.com.mv/dhivehi/news/115661.

President Nasheed approached them and requested that they stop mutinying and to surrender. While he was trying to address the mutinying police there were chants calling for his resignation, and he once again moved into the MNDF Headquarters.[79] The scenario at Republic Square changed when a few MNDF members joined the crowd. An almost platoon strength of soldiers moved into Republic Square from Kalhuthuhkala Koshi[80] (the second MNDF barracks in Male), a few from Bandeyri Koshi (MNDF headquarters) and soldiers from other MNDF establishments like the Coast Guard and the Marine Deployment Unit at Hulhulhe Island also joined the mutinying police. Though there were no MNDF commissioned officers involved and the number of mutinying MNDF soldiers stood at less than a hundred, it changed the whole image of the movement.

The MNDF leadership was unable to round up all the MNDF soldiers from the square, or to disperse or arrest the mutinying police. The MNDF completely lost control of the mutinying soldiers, and inside the MNDF headquarters the operational activities were not going according to MNDF (military) protocol. Some officers who were commanding riot squads had almost given up, and there was total chaos within MNDF headquarters as President Nasheed himself started to command the troops.[81] Disregarding MNDF leadership's advice not to confront the better-equipped police, President Nasheed wanted MNDF squads to charge at the mutinying faction.[82] In a few instances the MNDF squads moved out of the headquarters and tried to stop the mutinying police, but every

[79] As dawn broke and the news of mutinying police reached the President, he with a few members of his government moved into MNDF headquarters.

[80] This Youtube video shows MNDF soldiers that marched out of Kalhuthuhkala Koshi and became the catalyst to MNDF involvement with the mutinying police. "MNDF Soldiers Protest against President Nasheed," Youtube, http://www.youtube.com/watch?v=eqiYZzJ83Yw.

[81] President Nasheed together with Minister of Defense Tholhath Ibrahim started to command troops. Meanwhile Chief of Defense Force Major General Moosa Ali Jaleel and MNDF Intelligence Chief Brigadier General Ahmed Nilam (both of them not in their uniforms) also tried to support the President's effort. "Nasheed's Last Moments at MNDF Headquarters 10.02.12," Youtube, http://www.youtube.com/watch?v=MYbcr_kBkV4.

[82] Maldives Police Service is better-equipped and trained for crowd control compared to MNDF. The mutinying police were in the square fully armed with their riot gear, and if MNDF were to suppress them the only means would be to use lethal weapons, which both President Nasheed and MNDF leadership negated.

time they failed and retreated. When the situation worsened, the mutinying police and MNDF soldiers together with few anti-government protesters charged at the gate of MNDF headquarters.

President Nasheed found no way to solve the issue and witnessed the unpreparedness of MNDF members to go to extremes to bring down the movement. He became helpless and must have imagined the circumstances that took the life of the first president of Maldives. The scenario was the same. Outside MNDF headquarters people were protesting, and the MNDF was not able to prevent it. At one point President Nasheed approached some soldiers inside MNDF headquarters and asked them what he should do. From the crowd a soldier asked him to resign, and President Nasheed wanted to know how many of them supported that decision. Everyone there raised their hands, and President Nasheed agreed he would resign, but to provide him and his family protection. Though these were only a few soldiers, and none that represented the leadership of MNDF, there on every step of the way, President Nasheed stepped toward resignation. Followed by few other events, in a few hours' time President Nasheed resigned, declaring that it was in the best interest of the state that he steps down.[83]

D. WAS THERE ANY MILITARY INFLUENCE IN THE RESIGNATION OF PRESIDENT NASHEED?

The CoNI Report negated the allegation of a coup, and obviously, there was no traditional military coup because the military did not take control of the country after the resignation of President Nasheed. Also, based on Narca Sierra's measuring scales of military intervention it could be said MNDF did not intervene in politics:

- The control of political power: Head of State and political posts filled by military members.[84] Neither prior nor post President Nasheed's resignation did any military member held any political office. The closest to such an issue was the appointment of former colonel Mohamed Nazim as defense minister. At the time he was appointed to the post, he had led a civilian life for almost three years. He was dismissed from the military

[83] "Mohamed Nasheed Resigns as President," *Haveeru Daily*, 7 February 2012, http://www.haveeru.com.mv/news/40126.

[84] Narcis Serra, *The Military Transition: Democratic Reform of the Armed Forces* (New York: Cambridge University Press, 2010), 44.

soon after President Nashed took office on allegations of military misconduct (the issue was not detailed allegedly for security reasons), but he challenged the issue in civil courts and won a verdict in his favor, but decided to discontinue his service in the military.

- The military as guardians of national essences: Military considers itself to be above politics, and casts a threat on civil administration to fulfill its needs.[85] No such behavior was seen from the military and at all times had subjugated itself to the command of civilian administration.
- The military as constraints on government policy: Intervenes in government policy making and sometimes constituting to vetoing certain government policies.[86] MNDF did not intervene in civil administration's policy making, and had always given its fullest cooperation to implement government policies. The reason that led to the arrest of Judge Abdulla Mohamed is testimony to the obedience of MNDF to the civil administration—went acting beyond its mandate to appease the political leaders.
- Defenders of their organizational and operational autonomy: This situation arises when the military lose or are losing control to intervene in civil administration.[87] Therefore, results in blocking the intervention of civil administration on fields that are relevant to the military. MNDF did not take such a stand at any time. One of the most controversial policies on military soon after President Nasheed came into office was to reduce the number of MNDF soldiers living inside MNDF premises (Bandara Koshi and Kalhuthuhkala Koshi) to bring down certain costs. Only a very few necessary soldiers were provided lodging inside MNDF premises and the others were ordered to live outside MNDF premises. This became a great challenge as most of the soldiers come from outer islands and the cost of living in Male is very high. Even during the worst of scenarios MNDF remained loyal to the orders of civil administration.
- Formal but partial acceptance of civil supremacy: Although the military does not issue its own manifestos and go against the law, they disobey certain orders and act on their own discerning the order of civil authority.[88] An issue that has relevance to this is the MNDF's decision not to carry out an inquiry on the soldiers that participated in the 7 February 2013 mob, but this cannot be justified as an order by the civil administration as the civil administration has never issued an order to carry out an inquiry. The suggestion only came in the CoNI report, which

[85] Narcis Serra, *The Military Transition: Democratic Reform of the Armed Forces*, 44.

[86] Ibid.

[87] Ibid., 44–45.

[88] Narcis Serra, *The Military Transition: Democratic Reform of the Armed Forces*, 45.

> outlined that the issue pertaining to soldiers should be investigated by MNDF. Therefore, the decision lies on the civil administration and it has not made a verdict on it as of this date.

These are conclusive evidence that MNDF did not intervene in politics. Still it cannot be denied that there was an element of influence by the military in the resignation of President Nasheed. According to Samuel E. Finer, the military intervenes in different political cultures (mature, developed, low, and minimal) at varying levels of influence (influence, blackmail, displacement of civilian cabinet, and supplanting of civilian regime).[89] Furthermore, he categorizes the military intervention into six different modes: normal constitutional channels, collusion or competition with the civilian authorities, intimidation of the civilian authorities, threats of non-cooperation with or violence toward the civilian authorities, failure to defend the civilian authorities against violence, and outright violence against the civilian authorities. There was the matter of the failure to defend the civilian authorities against violence on 7 February 2013 and the involvement of MNDF soldiers with the mutinying police constituting military influence on the process.

The mutinying police alone could not have made a difference, but the participation of some MNDF soldiers definitely provided fuel to the cause. The participation of those MNDF soldiers could have also made a difference in how the soldiers inside the headquarters viewed the mutinying mob. Some could have aligned with the mob's cause and might have shown uncooperative behavior. This uncooperative behavior was visible in the narrow angle shot that showed President Nasheed giving orders to ground troops as if he were their squad commander. Furthermore, the unanimous show of hands by the small group of soldiers when asked by the president if he should resign shows this attitude. President Nasheed had always praised MNDF's performance, and he heavily relied on MNDF for nation building. His close association with and trust he had for MNDF were so strong that he at times misused MNDF to carry out extra-judicial detentions. When his key associates, the military, showed distrust, there could be no guarantee that his fate would not be the same as that of President Amin.

[89] Finer, *The Man on Horseback: The Role of the Military in Politics*.

Therefore, the military certainly influenced his decision to resign, even if indirectly. The fact that CoNI stated there were certain issues involving MNDF soldiers that should be prosecuted internally also indicates that the military had an influence on the decision. Though CoNI has called for an inquiry into the misconduct of the soldiers by internal mechanisms, to date no such inquiry has taken place, and there seems to be no intention of doing so both by the civil administration and the military leadership.

IV. PRESIDENT WAHEED AND THE CONTINUATION OF DEMOCRACY

The resignation of President Nasheed transpired without further chaos. Once he resigned, the opposition supporters were jubilant and there was no trouble seen by the MDP supporters throughout the day. President Nasheed moved into the Presidential Palace at Muliaage and carried out procedures to vacate the palace. In the late afternoon, Vice President Mohamed Waheed took the oath of President at the official residence of Vice President, Hilaaleege. The swearing in was led by Supreme Court Chief Justice Abdulla Faiz in the presence of the Speaker of the People's Majlis Abdulla Shahid.

With that, normalcy continued until next day, and MDP supporters only came out into the streets when the MDP and President Nasheed declared that he was forced to resign.[90] MDP supporters rallied in the major streets of Male and approached the Republic Square, and in the atolls, especially in the southern atolls MDP supporters demonstrated on their islands. The demonstrations in the atolls went to the extent of burning down government buildings, such as police stations and courts. In Male, police charged at the protesting MDP supporters, and many of their leaders were detained, including President Nasheed. Beyond all expectations, when President Nasheed and the MDP declared that his resignation was forced, the whole country went into chaos; it became the general idea that President Waheed's government would implement an iron fist rule, and democracy would further regress. In contrast to the public's fear, President Waheed's policies were moderate, and he intended to uphold the state of democracy in the country. There were many factors that contributed to President Waheed's continuation of democracy.

[90] "Resigned When I was Told Arms Will Be Taken-up – ex President Nasheed," *Haveeru Daily*, 8 February 2012, http://www.haveeru.com.mv/dhivehi/news/116776.

A. PRESIDENT WAHEED'S DEMOCRATIC STAND

President Waheed is the first Maldivian to earn a doctorate of philosophy. Except for his foundational studies, all his other educational experiences are from democratic nations and Western-run universities. After earning his Ph.D. he served the Maldives government for a very brief period, and having had to face many challenges being vocal on the human rights abuses of President Maumoon's regime, he left the country. In the early 1990s he ran for the People's Majlis seat for Male, he faced considerable harassment from the government and especially from the brothers-in-law of President Maumoon, Ilyas Ibrahim and Abbas Ibrahim. As a Member of People's Majlis, he drafted a bill for human rights which was supported by other members, but it was rejected by the Speaker of Majlis Abdulla Hameedh (a younger brother of President Maumoon). He was very vocal on the issue of arresting Mohamed Nasheed (who was later President) and organized protest movements such as wearing black ribbons in protest of his arrest.

As a result of President Waheed's trenchant opposition to President Maumoon's administration the security force continually harassed him, and his family members also became a target. Finally, he requested permission to leave the country (as a blacklisted candidate he was barred from international travel) by the president, and he received it with a citation that he had been very uncooperative to the government. Leaving the country, from 1991 to 2005 he served at the United Nations in its various agencies, such as UNDP, UNESCO, UNICEF and UNDGO, and held prominent positions in various countries. Some of his remarkable efforts were in Afghanistan. After the fall of the Taliban he was sent to assist in the reconstruction. As the UN representative for education, he contributed immensely to improve the educational system of the country, and after nearly three years, before being called back to New York to serve at UNDGO as Associate Director, he was heading the UNICEF office at Kabul.[91]

[91] President Waheed completed his Bachelor's degree in English Language and a Teaching Diploma in 1976 at American University of Beirut, Lebanon; and Master's in Education Planning in 1979, Master's in Political Science in 1985, and Doctorate of Philosophy in International Development Education in 1987 from Stanford University in the United States. "Dr. Waheed's Biography." http://www.drwaheed.com/dr_waheeds_biography.

His educational background, exposure to the Western world, his active fight for human rights and his service in high-profile international jobs have made President Waheed one of the most experienced Maldivians in regard to the democratic environment and its institutions. This background and institutional experience in a democratic setting would have greatly contributed to the policies and style of President Waheed, and prepared him to face the challenges with confidence and run the country democratically. Moreover, President Nasheed's allegations of forced resignation and public suspicion that Waheed's government was a coup, increased President Washeed's commitment to support democracy and prove those allegations false.

B. MALDIVIANS' DEMOCRATIC MENTALITY

In the known history of Maldives, especially in the twentieth century, it was not uncommon to see mobs rising up against the government, and in some cases, those mobs toppled the government. Even so, the mindset and condition of the mob that led Maldives to a democracy was totally different from previous mobs. The mobs that rose up against President Maumoon's administration were more literate and educated,[92] economically much better off, and more aware of the changes taking place around the globe. On the other hand, the mobs that rose up against President Amin Didi ended the first republic and re-established a monarchical government. Later the republic was again restored in Maldives, and it continues.

Maldivians had gone through the bitterness of autocratic rule under the monarchy and two republics (which ended with the demise of President Maumoon's regime). So, when it came time for change there was no opting for either system or its autocratic rule, and the only option available was a democracy. It was, therefore, a democracy that the 12–13 August 2004 mob demanded, and the call for democracy was reiterated in the rallies that occurred over the next four years. The country was ripe with institutions and

[92] It was President Amin that started modern education in the country, and it was only during Prime Minister Nasir's time for the first time Maldivians set for foreign exams locally. In June 1965 ten students of Ameeniya sat for the Royal Society of Arts, UK, Ordinary Examinations. When it came to the 2000s, the number of students sitting for Cambridge, UK, Ordinary Level Examinations stood at over ten thousand students annually. Apart from this it was during President Maumoon's time in office when Maldivians flew abroad in large numbers to achieve higher education.

systems to manage the economy and day-to-day life of the society. The political apparatus had the capacity to endure the change. All that was needed were some changes to the constitution that would accommodate a democratic government in the Maldives.

It was under such circumstances that democracy came to Maldives. The people had already learnt from the experience of other democracies, and were aware of the benefits of the system, especially the freedom of expression and freedom to affiliate with different political groups without being subjected to punishment. Therefore, the Maldivian people welcomed a much-needed democracy to the country, and they would not have accepted a different model, even after the unfortunate and premature end to the administration of the first democratically elected president. The willingness of the Maldivians to do their part in protecting the democracy is highlighted in the opinion polls of Transparency International's Global Corruption Barometer 2013. It states that Maldivians believe that they could bring about the necessary positive changes to the society and do so by peaceful means.[93]

C. PRESIDENT MAUMOON'S DEMOCRATIC REFORMS

It is true that President Nasheed and his supporters instigated the process to democracy, but still a democracy could not have been possible so easily and in such a short span of time if not for President Maumoon. Demonstrations were not totally non-existent during the first two decades of President Maumoon's regime, and it was the government that mostly organized them. For example, a few demonstrations were held raising concerns over the status of Palestinians in the Israeli occupied territories. Therefore, the idea of rallying against the government was a distant thought, until the death of inmate Hassan Evan Naseem in September 2001. Thereafter, the opposition geared their efforts to gathering anti-government masses. This resulted in the 12–13 August 2004 rally at Republic Square. As usual, it would have been easy for security forces to disperse them from the area, and the usual nature of Maldivians was that they

[93] Maldivians are among the highest percentage, 81–100, belief that they could make a difference in the fight against corruption, and they opt to do it by signing petitions. Deborah Hardoon and Finn Heinrich, "Global Corruption Barometer 2013," 21 and 25.

would not challenge the security forces. But President Maumoon's instructions let the rally continue, and as it continued it got momentum and more crowds started to take part in the gathering.

For the first time, President Maumoon's regime and its policies were criticized in broad daylight by thousands of people. Much information that had not previously reached the public because of the censorship of the press was freshly poured onto the crowd. In two days, unanticipated damage was done to the mostly unchallenged rule of President Maumoon. It was too late when President Maumoon gave orders to disperse the crowd, and by then already a massive crowd was dedicated to bringing an end to President Maumoon's autocratic rule. The initial stance President Maumoon took in addressing the 12–13 August crowd, and the events that took place after it, were a kind gesture of his autocratic rule, which facilitated democracy in the Maldives.

President Maumoon pledged to give in to the demands of anti-government supporters, to make Maldives a democratic state. Therefore, he called for an election to appoint a special session of the People's Majlis to amend the constitution, and when it was completed after some delay and a few more rallies to pressure President Maumoon to sign, he signed the new constitution on 7 August 2007. This became the starting point of democratic reforms by President Maumoon and accordingly, the next presidential election was held under democratic terms. Therefore, President Maumoon also had a hand in democratizing Maldives, and he ran in the first democratic elections only to be defeated by the coalition of all the other political parties of President Nasheed. As in some nondemocratic regimes, President Maumoon could have refused to accept the defeat, though it was likely that he could have faced some dire consequences had he done so. President Maumoon handed over the power to President Nasheed. Since then President Maumoon's DRP has stood as the opposition party for a long time (later splitting and giving rise to the Progressive Party of Maldives, PPM, under former President Maumoon) and has acted democratically.

When President Nasheed resigned under pressure from the opposition (of which President Maumoon's PPM is a major player) for his wrong doings, President Maumoon would not have wanted to see Maldives abandon democracy, which he had a stake in

establishing. Furthermore, the coalition parties along with the PPM are led by mostly those that rose against President Maumoon at the 12–13 August 2004 rally to bring democracy to the country, and they, too, would not want to see another system of government in the country.

D. THE PRO-DEMOCRACY SECURITY APPARATUS

If not for the mutinying police and MNDF soldiers and the uncooperative atmosphere within MNDF headquarters, President Nasheed's term of office would not have ended prematurely, but this does not mean that either the mutinying factions or security apparatuses (MNDF and MPS) are not pro-democracy. They are pro-democracy; President Nasheed's wrongful decisions led to a situation that created a condition where he could not hold his position any longer. MNDF played a vital role in the transition to democracy by providing assistance in the amendment of constitution and enacting its rules and regulations that would govern MNDF's roles and missions under the umbrella of democracy. Moreover, MNDF had played a vital role in the President Nasheed's government by implementing various social welfare tasks.

MNDF comprises a very large educated force. The minimum educational qualification to join the service is completion of tenth grade, and its officers are largely trained in democratic nations, typically in India. Other countries where MNDF officers receive commissioning training include Sri Lanka, the U.S., UK, Pakistan and Bangladesh. Therefore, most of the officers are groomed in academies based on the principles of democracy. The most prominent military leaders in the last years of President Maumoon's regime, the three years of President Nasheed's rule and under President Waheed, were graduates of the Royal Military Academy Sandhurst, UK. They are Brigadier General Ahmed Shahid, Brigadier General Ahmed Nilam, Brigadier General Farhath Shaheer (who was Vice Chief of Defense Force during President Nasheed's administration) and Major General Ahmed Shiyam (currently Chief of Defense Force).

These examples reflect the level of maturity at MNDF senior leadership and their ability to understand the importance of democracy. They proved it by being loyal to the

first democratically elected president, President Nasheed, even going beyond what they should have. By following the orders of President Nasheed and detaining Yameen Abdul Gayyoom, Gasim Ibrahim, and later Judge Abdulla Mohamed, the overly loyal MNDF made grave mistakes.

Initially the greatest challenge came when the MDP supporters started to rally against the event of 7 February 2012, but MNDF only intervened in crowd control when MPS requested assistance.[94] Most recently the challenge to MNDF came as a result of the ruling of the Supreme Court that annulled the first round of Presidential elections on 7 September 2013. President Nasheed was the winner of this round with more than 45 percent of the vote, and there was opposition sentiment that MNDF should intervene in the process and block the ruling of the Supreme Court. MNDF, however, refused to intervene in the judicial and electoral process. MNDF remained silent, giving room for the appropriate agencies to play their parts accordingly. The only contention was seen when MNDF blocked the entrance of an MDP Majlis member who was entering the People's Majlis. But the MNDF actions could be justified, as the Supreme Court had earlier ruled that member Mohamed Azim's seat was lost to him due to a criminal offense.[95]

On the other hand, the Parliamentary Privileges Committee (with an MDP majority) ruled that the Supreme Court's ruling is not justifiable and member Azim could attend Majlis meetings. Because of these conflicting verdicts, MNDF, which maintains the security of the People's Majlis requested that the Speaker of the Majlis decide if Azim could enter the Majlis premises, but the Speaker never made a verdict, and MNDF had to block his entrance.[96] Finally, when Azim became offensive, he was handed over to

[94] Most often MNDF personnel would be the first to face such mobs, because mostly these crowds gather near Republic Square, and this area falls into the green zone, which MNDF has a responsibility to protect.

[95] According to Article 73 of the constitution an elected member of People's Majlis would be disqualified if found to have a decreed debt, which is not being paid as provided in a judgment by the judiciary.

[96] "Government Defends Military Action on Disqualified MP," *Haveeru Daily*, 27 October 2013, http://haveeru.com.mv/news/52008.

police.[97] Therefore, in general, MNDF maintains the true nature of a democratic military, remaining separate from politics, which in turn has facilitated the Maldives democracy to continue after 7 February 2012.

E. A CONSTITUTION THAT LEAVES NO ROOM FOR ANOTHER SYSTEM

In the last few years of President Maumoon's regime the constitution was amended to fit to a democratic setting. Accordingly, vast changes were brought to it, dictating the establishment of independent institutions that would support democracy, and monitor and control the democratic form of governance. Furthermore, the separation of powers of the three branches of government (Executive, Legislative, and Judicial), and their roles and missions are stated so that each of them could exercise their duties independently for the good of the state. Therefore, before President Maumoon's regime ended all these changes took place, and President Nasheed had the opportunity to run the country under a more secure and clearly defined democratic setting. Even so, an infant democracy has its many challenges.

The executive branch is not a new concept; hence, its procedures and practices were in proper order, and President Nasheed, unlike President Maumoon, had to be only democratic—the new constitution does not give room for the executive to be autocratic. People's Majlis, too, has been in place for a long time. Until the last few years of President Maumoon's regime, the Majlis was indirectly controlled by President Maumoon, but in his later years that control was lost, and with the enactment of the new constitution on 7 August 2008, People's Majlis became fully independent. However, the Supreme Court is a new concept to Maldives, and it only came into existence as a result of the new constitution. Therefore, when President Nasheed came to power, although a Supreme Court was established, its judges were serving for an interim period, whose

[97] "Azim Arrested for Assaulting MNDF Officers, Says Police," *Haveeru Daily*, 26 October 2013, http://haveeru.com.mv/news/51989.

permanency was to be decided after two years into the Supreme Court's existence. The permanent judges of the court took their oath on 10 August 2010.[98]

Apart from the separation of powers of the three branches of government, the new constitution facilitated the establishment of independent commissions and assured their independence. Independent commissions such the Maldives Human Rights Commission, Judicial Service Commission, Media Council, Maldives Inland Revenue Authority, and Police Integrity Commission were established and their roles also became an important element in the continuation of democracy. Three years into President Nasheed's term in office all these establishments were functioning properly. Therefore, having the constitutionally mandated separation of the powers of three branches of government and the establishment of independent commissions to monitor and control the democratic process, it would be difficult to abolish democracy and have the country return to its former autocratic state. For that to happen the constitution would have to be changed or the rule of constitutional law would have to be abolished. To bring an amendment to the constitution a two-thirds majority is required, and to establish an unconstitutional rule, the security apparatuses have to take control of the country; none of which is a real possibly in the current context of Maldives.

F. DEMOCRACY IN THE MALDIVES

For the major reasons discussed above, and due to many other minor factors, the chances of Maldives abolishing democracy or allowing it to regress are very unlikely. As a result even after the resignation of the first democratically elected head of state, President Nasheed, the country is enjoying democracy. But an important question would be, how much has democracy been consolidated in the Maldives since Nasheed's resignation?

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[98] As the interim period of Supreme Court judges was ending soon, the Majlis in haste evaluated the candidates and in the 77 member Majlis from the 72 in attendance with a majority of 71 votes all the seven names proposed for the post were passed: Ahmed Faiz as Chief Justice, and Abdulla Saeed, Abdulla Areef, Ali Hameedh Mohamed, Adam Mohamed Abdulla, Ahmed Abdulla Didi and Ahmed Muthasim as other judges. Within two hours of their nominations, except for Ahmed Muthasim who was out of town, the others took the oath of office at the President's Office in the presence of President Nasheed. "Chief Justice and Five Supreme Court Judges Took Oath of Office," *Haveeru Daily*, 10 August 2010, http://www.haveeru.com.mv/dhivehi/news/92606.

One of the most important achievements lies in the progress made in the rule of law. There are many allegations stating the judiciary is corrupt and judges side with politicians, but no one has ever produced an official document with justification for these allegations. These allegations were made during President Nasheed's time and are made currently under President Waheed's presidency, and such allegations come from both the opposition and government supporters. Apart from these allegations, it could be said that democracy is functioning properly because the mistakes committed by President Nasheed in crossing the limits of the constitution are totally absent in President Waheed's administration; no politician has been detained without charges (which also means the military has not been used to carry out such actions), and the military has been confined to the duties stated in the constitution.

One of the remarkable achievements in this respect remains the verdicts of the Supreme Court and how society embraces the court's decisions. The case of the controversial presidential elections of 7 September 2013 stands out. Gasim Ibrahim's Jumhoree Gulun (the coalition of Jumhoree Party, Gaumee Party, and Adhaalath) put the case to the Supreme Court regarding allegations of vote rigging. The election in which President Nasheed, the leading candidate, won more than 45 percent of the vote was declared null and void, not because the wrongful votes would alter President Nasheed's position, but because the wrongful 5,000 or so votes would make a difference in who would be in second position. Because there was no candidate with more than 50 percent majority, the two candidates receiving the most votes had to go for a second round: Yamin 25.7 percent and Gasim 24.1 percent.[99] When the issue was put forward to the Supreme Court, after some deliberation the Supreme Court ordered a halt to the second round of the presidential elections until it could make a ruling on the case.[100] Until the final verdict was announced on 7 October 2013, there were rallies held by MDP

[99] "Nasheed Wins, but Maldives Presidential Polls Heads for Runoff," *Haveeru Daily*, 7 September 2013, http://haveeru.com.mv/news/51016.

[100] As Supreme Court decided that it should further investigate the allegations of vote rigging, the court asks to cancel the scheduled second round of election on 28 September 2013. "Maldives' Top Court Indefinitely Delays Pres Runoff," *Haveeru Daily*, 23 September 2013, http://haveeru.com.mv/news/51345.

supporters, but these were mostly peaceful.[101] When the verdict was made, though, President Nasheed's supporters, the Elections Commission, and some election observers felt the decision was wrong, the country still peacefully upheld the ruling of the Supreme Court and efforts were made to hold the elections on 9 November 2013. On the first date of 19 October 2013 set by the Supreme Court, police blocked the Election Commission's efforts to hold the election,[102] as it was not progressing according to the guidelines stated by the Supreme Court. This, too, created some tension, but the system still functioned properly.

Some of the issues pertaining to rule of law came from the absence of certain laws and from unethical practices of certain politicians. For example, the country still lacks important laws governing the use of forensics and other modern day techniques used in developed countries to solve crimes. A year has passed since the murder of Majlis Member Dr. Afrasheem and even after the assistance of the FBI, due to the absence of laws governing forensics, the issue is still unsolved. On the political front, the policy of victors' rule has started to take prominence. Recently a member of MDP, Ali Azim, and DRP (in coalition with MDP) member, Mohamed Nashiz, lost their seats in Majlis due to a Supreme Court ruling.[103] According to the rules and regulations of Majlis any member who receives a sentence of more than one year for a criminal offense will be barred from Majlis, but as MDP lost two of its members, and still having the majority in the Majlis (with the coalition of DRP)[104] passed a bill to annul the clause. In addition, two MDP Majlis members, Hamidh Abdul Gafoor and Abdulla Jabir, are currently undergoing court cases for their alleged use of narcotics and alcohol, as well as their refusal to provide urine for testing. To evade the court, Hamidh resided inside the Majlis,[105] and a

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[101] "Maldives to Hold Fresh Polls on October 19," *Haveeru Daily*, 8 October 2013, http://haveeru.com.mv/news/51645.

[102] "Police Stop Election Commission from Going Ahead with Re-vote," *Haveeru Daily*, 19 October 2013, http://haveeru.com.mv/news/51822.

[103] "Top Court Disqualifies MPs Nashiz, Azim from Parliament," *Haveeru Daily*, 24 October 2013.

[104] DRP contested in the first of presidential election 2013 in coalition with President Waheed's GI, but as President Waheed lost the race in the first round, DRP made a coalition with MDP.

[105] "MP Hamid Takes Refuge in Parliament to Evade Arrest," *Haveeru Daily*, 24 October 2013, http://haveeru.com.mv/news/51951.

bill was proposed to People's Majlis to minimize the sentence from 1 year to 15 days, for the refusal to provide urine for narcotics testing.[106]

Even before democracy introduced several institutions, the government bureaucracy was functioning effectively in many areas, particularly in improving the education of youth. With the institutional know how and experience, these new institutions took a short while to establish themselves independently and to carry out their activities. Still there is a long way to go, but given the short period of time of their independent existence, they have come a long way. To name a few, the Maldives Human Rights Commission has been very vocal on the issues affecting society and has been influential in pressuring the government and private sector to bring about necessary changes. The Police Integrity Commission has been able to monitor police actions and complaints about police actions, and take corrective measures. In the recent case of the Commissioner of Police Abdulla Riyaz for tweeting an anti-President Nasheed letter, the verdict was a bit of an irony, but still it stood according to the set of rules and regulations governing such acts.[107] The Maldives Inland Revenue Authority, too, plays its role in collecting taxes and filing cases against fraud. These newly established institutions and the long established ones together have created an efficient bureaucracy and something that can be relied on by the government and the civil society. All agencies are playing their part well, and the mechanisms to check and balance their performance are working, as are ways to monitor complaints against government agencies and institutions.

Maldives is a close-knit country where people speak the same language, Dhivehi, and practice a common religion, Islam. Most families still maintain close bonds and lives together. Therefore, the political divide among family members mostly remains a difference of opinion, and when it comes to day-to-day life, Maldivians are as close as

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106 "Transparency Maldives Condemns Parliamentary Privileges Abuse," *Haveeru Daily*, 2 November 2013, http://haveeru.com.mv/news/52121.

107 A letter addressed to Police Commissioner Abdulla Riyaz, stating why no one should vote for President Nasheed was posted in his twitter account. Police personnel are not supposed to promote political biases, and so his case was referred to Police Integrity Commission. Among the various punishments listed he received the least, which was a warning not to repeat such behavior in the future. "Police Commissioner Violated Police Regulations," *Haveeru Daily*, 10 September 2013, http://www.haveeru.com.mv/dhivehi/news/143424.

anyone could be. As a result most protests are resolved peacefully. Moreover, in most cases Maldivians have been very reasonable people. For example, the resignation of President Nasheed created some turmoil in the country for a few days, but it settled down and all parties opted to investigate the issue. Therefore, when the Human Rights Commission of Maldives and a Presidential Inquiry Commission investigated the issue, people waited for the outcome. MDP together with the international community pressured the Presidential Inquiry Commission to be independent; hence, President Waheed gave into the demands, and the MDP and Commonwealth were given the opportunity to include their representatives on this commission. As a result the new Commission of National Inquiry (CoNI) included three members of President Waheed's administration (Co-Chair Ismail Shafeeu, Dr. Ibrahim Yasir, and Dr. Ali Fawaz Shareef), one representative from MDP (Ahmed Saeed), and one member from the Commonwealth (Co-Chair Justice J. P. Salvam of Singapore).

In addition to representatives from the Commonwealth and United Nations, Sir Bruce Robertson, a retired Court of Appeals judge from New Zealand, and Professor John Packer from Canada were appointed as International Advisors. The findings of the commission were provided in the CoNI Report, which declared that President Nasheed was not forced to resign and that his resignation did not constitute a coup.[108] Nevertheless, the report outlined issues related to the conduct of some police officers and MNDF soldiers that have to be evaluated internally by those organizations. Though the verdict of CoNI was not in favor of MDP, they accepted the report, not necessarily the ruling, and peacefully requested the government to hold early elections. Therefore, even in the worst of scenarios, civil society has provided room for the system to function and is continuing that supportive behavior.

108 "Report of the Commission of National Inquiry, Maldives," Maldives Culture, http://www.maldivesculture.com/pdf_files/CONI-Report-2012.pdf.

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V. CONCLUSION AND RECOMMENDATIONS

Given all the obstacles Maldives' infant democracy faced, it solved all those challenges promisingly to establish a better democracy in the country. It is obvious that most often new systems take time and enormous effort to adjust, but the ultimate fear lies in the system's inability to settle into the environment and in the event of failure that the new system may totally collapse. For Maldives, the resignation of President Nasheed and the wrangle in the run-up to the 2013 elections were a few such moments. The international community was concerned, but in the end, it seems that the institutions of Maldivian democracy have entrenched themselves for the long run.

The resignation of President Nasheed created doubts over the democracy of the Maldives, and the international community monitored the situation in the country and expected the doubts to settle down with the coming presidential elections. When the presidential election did not go as smoothly as expected, the international community became weary of the situation in the country,[109] because, when infant democracies face such major blow backs there is always the tendency of regressing democracy or reverting to nondemocratic regime types. In fact, the Commonwealth Ministerial Action Group indicated that Maldives will be placed in its formal agenda until it can resolve the issue of presidential election[110] and the European Union declared that it would take measures against Maldives if the election did not go as planned.[111] Over all the doubts the international community had on the democracy of Maldives, however, Maldivian institutions have found their solutions for the problems at hand, and have successfully held the final round of presidential elections on 16 November 2013, electing President Yameen Abdul Gayyoom as its third democratic president.

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[109] "Global Concern as Maldives Court Suspends Presidential Election," *Minivan News*, 25 September 2013, http://minivannews.com/politics/global-condemnation-as-maldivian-court-suspends-presidential-election-66642.

[110] "Statement on Maldives by the Commonwealth Ministerial Action Group," *The Commonwealth*, 13 November 2013, http://thecommonwealth.org/media/press-release/statement-maldives-commonwealth-ministerial-action-group.

[111] "EU Warns of 'Appropriate Measures' Should November 16 Election be Subverted," *Minivan News*, 14 November 2013, http://minivannews.com/politics/eu-warns-of-%E2%80%9Cappropriate-measures%E2%80%9D-should-november-16-election-be-subverted-71663.

A. RECOMMENDATIONS

As expected, the infant democracy of Maldives faced too many problems and some of those problems were things beyond imagination, such as the premature resignation of President Nasheed. Despite all these problems, Maldives is thriving in democracy by adopting democratic solutions to its problems and empowering its institutions. Regardless of the achievements made, there will always remain room for improvement and new measures to be implemented to nurture the democracy manifold. Hence, the following are a few recommendations for political parties to put aside their differences when it comes to the betterment of the country, and for the military to avoid involvement in politics.

1. FAIR PLAY BY POLITICAL PARTIES

To strengthen the democratic establishment of the country politicians should put aside their political differences and find common ground to strengthen the democratic foundation. Instead of making allegations, finding concrete evidence and proposing reasonable ways to tackle issues could benefit the nation. For example, the allegations made on the judiciary (that it is not performing according to democratic norms) will confuse the layman who only hears and accepts what his political party advocates. In reality he does not know exactly what the issue is. One of the most controversial issues of current times is the continuation of a Supreme Court judge in his post even after the leaking of some videos purportedly showing him committing adultery. The issue is under investigation, and Supreme Court Judge Ali Hameedh has neither confirmed nor denied these allegations. Therefore, the civil and political society should keep their patience, until the video is proven to be authentic and that it is really Judge Hameedh in the video. On the other hand, such high-profile government employees should have the moral and ethical responsibility to quit their posts if they have in fact committed acts unbecoming to their office. The same applies to the members of Majlis, who were allegedly caught being intoxicated (use of alcohol and narcotics is a crime in Maldives). Furthermore, in retaliation for judicial proceedings politicians should not abuse the law (such as residing

in the Majlis to avoid court appearances) or amend laws for the benefit of Majlis members, particularly if such acts could be damaging to the society in the long run.

2. DEPOLITICIZING THE MILITARY AND IMPROVING CIVIL-MILITARY RELATIONS

In the context of Maldives it might not be possible in the near future to distance the military from politics as is the case in developed democracies, but political and civil society must avoid politicizing the military as much as possible. The traditional thinking of politicians is that the military and its leadership must be observed and their loyalty assured to the political leadership. That thinking comes when one narrow mindedly assumes that the military's role is solely to counter external threats, or worse, that militaries beef up their power and then sit idle until an external threat appears. Such thinking suspects the idleness of the military could be a threat to the political leadership. This idea is explored in Peter D. Fever's study of civil-military relations, in which he observes that the military could create an imbalance in the system, dominating a civilian government. If the military is not well controlled, as the situation demands the military might opt for coups, military influence, civil-military frictions, and non-compliance. Therefore, control measures have to be adopted.[112] But taking the military in this context, politicians have not come up with proper strategies to minimize politicization of the military.

Thus, Bruneau and Matei's line of thinking could facilitate politicians formulating proper strategies with regard to military. According to those authors, in the democratic setting militaries are to be under the command of the civilian administration, and the military's role extend beyond posing as a buffer to external aggression to include fighting and being prepared to fight internal wars and insurgencies, fight global terrorism, fight crime, provide support for humanitarian operations, and prepare for and execute peace support operations. In lieu of these functions Bruneau and Matei propose a three-fold framework consisting of democratic civilian control, effectiveness, and efficiency to be important in building strong civil-military relations in which the military is less

[112] Peter D. Fever, "Civil Military Relations," in *Annual Reviews: Political Science*, vol. 2 (North Carolina: Duke University Press, 1999), 211–241.

politicized.[113] The proper application of these three factors is a solution to the present context of Maldives.

Civilian control constitutes institutional apparatus to control the security instruments (institutional control); civilian vigilance on civil military relations (oversight); and the ethical conduct of all disciplines of the military (professional norm). To achieve effectiveness three things are vital. First, proper plans, such as national security strategies and counterterrorism doctrines, must be in place; there should be means to formulate these plans and implement them through different ministries and important security councils. Second, the government must commit resources, in the form of political capital, money, and personnel, to ensure it has sufficient equipment. Third, efficiency is mainly about the appropriate use of these resources. Use of public funds in a democracy demands that government agencies carry out systematic assessments of program results and their cost. Therefore, institutions must deal with the allocation and oversight of these resources.[114] Hence, merging effectiveness and efficiency in the civilian control eases the understanding in civil-military relations and creates a positive framework for finding ways to improve it. Civil control is fundamental to a democracy, but it serves no purpose if instruments for achieving security cannot effectively fulfill their roles and mission. It is useless if both control and effectiveness are implemented at unaffordable cost to a nation; it will only act as a hindrance to other national priorities.

In the five-year history of democratic Maldives, it has achieved much and stands out as an example of a success story to newer democracies. So far in the journey of democracy, Maldives has faced many challenges such as the resignation of President Nasheed, the murder of a Majlis member, and the Supreme Court annulling election results, but the country has maintained democratic values and is relying on democratic means to solve the challenges the infant democracy is challenged with. Most importantly both civil society and political society have given room for the rule of law to prevail, and for the appropriate institutions to deal with their respective issues and seek solutions to

[113] Bruneau and Matei, "Towards a New Conceptualization of Democratization and Civil-Military Relations," *Democratization* 15, no. 5, (December 2008): 909–929.

[114] Ibid.

them. It has been burdensome for the Elections Commission to go ahead with the election process this year and to achieve a completely error-free election, but the three candidates want to make sure that it is the case. The result of first round of the election (7 September 2013) was cancelled, and the Supreme Court halted the efforts of the Election Commission to kick-off the second round of election on 21 September 2013. The next set date for elections, 1 October 2013, passed as the Elections Commission was not able to meet the requirements set in the verdict that annulled the first round of elections. Finally, President Waheed met with the three contesting candidates and sought their assurances that they would give their fullest support for the elections to go forward on the next set date, 9 November 2013.[115] If a single candidate did not make it through the first round, the second round was scheduled for 11 November 2013. As most expected, in the first round there was no single majority of more than 50 percent, and the election had to go for a second round, but as there was no time for campaigning between the two rounds, a member of one political party sought a postponement of the second round from the Supreme Court. The court's decision came in his favor and the second round of elections took place on 16 November 2013, declaring President Yamin as the next president of Maldives. Overcoming all its problems Maldives shows irrefutable commitment toward consolidating a stronger democracy at the institutional level, rather than the personal.

[115] "Pres Waheed Hails Candidates' Agreement To Hold Re-vote before Nov 11," *Haveeru Daily*, 28 October 2013, http://haveeru.com.mv/news/52040.

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